Women In Island

& Refutation of some Common Misconceptions



By Abdul-Rahman Al-Sheha

Edited by
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TheVista

IslamLand

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This book deals with the following questions and issues:

- State of women through the ages: Women in the Pre-Islamic Arab Society; Indian Society; Chinese Society; Greek Society; Roman Society; Traditional Jewish Society; Traditional Christian Society; Modern Secular Society
- Matters in which Men and Women are Equal in Islam: In basic humanity; In Application of Obligations; In rewards and punishments in this worldly life and the hereafter; In ownership and the freedom of financial transaction; In preserving the honor and nobility; In mandatory education; In bearing responsibility towards reforming the society.
- Women's status and rights in various stages of life in the Muslim society: as a baby, child and young girl; as a sister; as a wife; as a mother; as kinsfolk and neighbor, and as a woman in general.
- Misconceptions about Women's rights and obligations in Islam and their refutation: On polygamy; On leadership and responsibility; On the Marriage Contract and Guardianship; On wife beating; On honor killing; On divorce; On testimony; On inheritance; On blood money; On employment; On Hijab (covering head and face)

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Foreword of Translator

I begin with the name of Allah Most Beneficent Most Merciful
All praise is for Allah the Exalted and may Allah exalt his mention and render him and his household, his Companions, and those who follow their way safe from every evil, and grant them security on the Day of Resurrection.

This book discusses the special place women have in the religion of Islam and seeks to address some of the many misconceptions and false propaganda published by those ignorant or malicious. Islam states that men and women are totally equal in their humanity, and basic human responsibilities and rights, a concept that was radically new, to the world compared to other civilizations at the time of the inception of the Islamic Message through the Prophet Muhammad (ﷺ), and remains so for many peoples of the globe until today. Islam also states that men and women have complimentary roles and obligations in society, which are commensurate with their natural physical, psychological and social inclinations and differences. The feminine qualities of women can only find fulfillment in when these are taken into account in relation to men, just as the masculine qualities of men are not complete without the complimentary role of women in society. A great injustice is done by seeking to force upon them genderless equality where they are different and complement each other, or by forcing them to be unequal, and thus demeaning them, where they are truly equal. Only Allah, the Almighty and Omniscient Creator, is the Perfect Guide to the correct and smooth path, devoid of extremism and deficiencies. Since rights are always in relation to abilities, obligations and duties, the unique perspective of Islam about women's rights needs to be put into the context of a complete moral and legal code of Islamic belief, morality and law.

Humanity can only survive and prosper with the survival and prosperity of the family unit, with each member of the family fulfilling his or her obligations and receiving his or her rights, while bound to universally accepted virtues, of which are included faith, purity, chastity, respectfulness, good manners and upright morality. Of course, different civilizations and cultures present different views on these issues and virtues.

In the Islamic revealed scriptures, there are many eloquent expressions of woman's equality with man, and the special relationship and bond between man and woman. For instance, the Most Majestic says:

﴾**Surely for men who submit to Allah and for women who submit to Allah, for believing men and for believing women, for devout men and devout women, for truthful men and truthful women, for steadfast men and steadfast women, for humble men and humble women, for charitable men and charitable women, for fasting men and fasting women, for men who guard their chastity and women who guard their chastity, for men who remember Allah much and for women who remember Allah much, for all of them Allah has prepared forgiveness and a mighty reward.**﴿ **[33:35]**

And Allah, the Exalted, says:

﴾**…they are garments for you, and you are garments for them…**﴿ **[2:187]**

Clothes and garments are a necessity for warmth, protection, covering, and adornment: in our clothes we find comfort, security, satisfaction and identity. The male and female are in need of each other in a way similar to how the naked body of the human stands in need of clothes to face his natural and social environment.

Islamic civilization has its own view to present, a view that we believe expresses the highest of possible human values achievable because it is based on the divine revelation and guidance from the one and only Creator, the God of Mankind, Allah the Beneficent, Wise, Sublime and Omniscient, Who knows all the needs of his creations. He sent His last and final Prophet and Messenger to mankind, Muhammad ibn Abdullah (ﷺ). He inspired him with the revelation and teachings that were to be a perfect guide and example to the sincere worshipper, that servant of Allah in righteousness and obedience, in all the various circumstances and spheres of life. With humility and humble service Muhammad, the Messenger of Allah (ﷺ), delivered the message and fulfilled the huge responsibility of his mission of beneficence and mercy.

His family and followers, although humans with the imperfections that are the mark of human frailty, followed his example of righteousness, fortitude in goodness and selfless virtue. After the examples of all the Prophets of Allah, which include Noah, Abraham, Moses and Jesus (may Allah exalt their mention), it is they who present for us the best examples. Successive generations of Muslims have exhibited mixed behavior, and some have unfortunately deviated horrendously to the lowest grades of misguidance, wickedness and criminal behavior. Nevertheless, Muslims remain encouraged and optimistic because there will never be an era without some glowing lights of knowledgeable, upright, and virtuous Muslim men and women, who exhibit the virtues by which the Islamic message and mission is characterized.

This book was previously published with the title WOMAN IN THE SHADE OF ISLAM, and we have strived to re-adapt the work for the benefit of a wider range of English readers. We ask Allah, the Exalted, to accept our humble efforts and

forgive our lapses and mistakes. He indeed answers prayers and accepts good deeds.

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Preface

All praise is due to Allah the Exalted. May Allah exalt the mention of His Prophet and his household and render them safe from every derogatory thing

I believe that I cannot present any new information on the issues related to women's rights and the place of women in Islam. Therefore I have attempted to collect, arrange and summarize some of the relevant information on this subject and present it for the benefit of the reader.

I hope and pray for guidance from Allah the Exalted that I am successful in reaching my goals. It is a great injustice to accuse Islam of wrongdoing and oppression to women when there are many statements of the revealed book of Allah, the *Qur'an*, and of the teachings of the Prophet (ﷺ) which negate and disprove this false slander. Allah, the Exalted, says:

﴾**O Mankind! We have created you from a male and a female, and made you into nations and tribes, that you may know one another. Verily, the most honorable of you in the Sight of Allah is the believer who has** ***Taqwa*** (piety and righteousness) **and loves Allah most. Verily, Allah is All-Knowing, All-Aware**﴿ **[49:13]**

Allah, the Exalted, also says:

﴾**And among His Signs is that He created for you wives from among yourselves, that you may find peace and repose in them, and He has put between you affection and mercy. Verily, in that are indeed signs for people who reflect.**﴿ **[30:21]**

The Prophet ﷺ said:

“Verily women are the twin halves of men."

[*Abu Da'wood, Tirmidhi* & others, and verified as **sound]**

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Introduction

Various calls for women’s freedom, liberation and equal rights have been heard all over the world, and many slogans have been coined for the marches. In some societies women have indeed lived under oppression, cruelty and injustice, and have been denied basic rights of humanity. Nor is it denied that some Muslims have deviated from the Islamic principles and teachings. Islamic law, on the other hand, has quarantined women’s rights in a comprehensive and balanced system of human rights and obligations. Close examination of the slogans propagated by the international women's liberation movements show that they revolve around the three elements: women's liberation; equal rights with men; women's rights. We will examine them in the light of Islamic law and teachings, regardless of the practices of some of the ignorant and deviant Muslims.

Firstly, the word "liberation" indicates that there are shackles, bonds and restrictions in place, and secondly, that women are enslaved and must be liberated. This is ambiguous and misleading since absolute liberty is impossible, regardless of whether they are men or women. Mankind is naturally restricted by the limitations of innate limited abilities, and necessities of social organization. Both men and women must live in a social environment under certain laws, rules and regulations that govern and organize the various affairs of life. Does that mean that man is not free and independent in his action, or that he is clear from the responsibility of his deeds? Can anyone be free of natural limits and legal restrictions? If they are slaves, then the question becomes, to whom? Any so called freedom and liberty has natural and legal limits, which, if exceeded, will lead to destructive activities that all recognize as indecent, uncivilized and criminal. Islamic law decreed that

both men and women seek freedom and liberation from idolatry, tyranny, exploitation and injustice. The divinely revealed principles and laws teach and advocate strict monotheism, justice and noble morality. Within this framework men and women have inter-dependent and complementary roles. Islamic law granted women the right to deal in many affairs with the society directly, rather than dealing via a guardian, officially responsible and in charge of running all her affairs economically, socially, politically and otherwise, as in many societies. For her protection and maintenance, her father, brother, uncle and husband - the stronger sex - are obligated and legally bound to guard her honor and maintain her sustenance and proper living circumstances according to their abilities, throughout the stages of her life. Is this demeaning her position, or elevating it? Islam has forbidden men and women equally from being indecent publicly, and this translates differently for the two sexes for natural reasons. All must protect virtue in private, and guard themselves in public. Islamic law protects women from intimidation and molestation, and this demands that no one of either gender commit acts that are sexually provocative or enticing to the other. For this reason Islamic law requires modest clothing for her protection when going out of the home, and prohibits open ended free intermingling, and any type of physical touching of the other sex.

Islam illustrates the concept of freedom and liberty in such a way that individual behavior must not be harmful to the individual or destructive to the society at large, as graphically pictured in the words of the Messenger of Allah (ﷺ) when he said in an authentic tradition:

"The example of a person who observes the laws of Allah and the person who violates them are examples of two

groups of people who gathered on a ship and decided to divide their places. One group received the upper deck as their lot, while the other group received the lower part of the ship. Whenever the people in the lower part needed water they had to pass through the people on the upper deck. The people in the lower part thought to themselves: 'If we drill a hole in our portion of the ship, we can have access to the water without disturbing the party on the upper deck.' **If the group on the upper deck allows them execute their plan, all the people will be destroyed, and if they forbid them from doing so, they all will be safe."**

[*Bukhari & others*]

A well-known German thinker and philosopher, **Schopenhauer** said:

"Grant woman total and absolute freedom and liberty for ONE YEAR ONLY, and check with me after that to see the results of such freedom. Do not forget that you (all), **along with me, will inherit virtues, chastity and good morals. If I die** (before then) **you are free to say either:** "He was wrong!" **or** "He hit the heart of the truth!"

An American female reporter, **Helesian Stansbery**, who is syndicated in over 250 newspapers, worked in the area of journalism and broadcasting for over 20 years, and visited numerous Muslim countries, said at the end of one of her visits to a Muslim country:

"The Arab-Islamic society is wholesome and healthy. This society must continue to protect its traditions that restrict both its males and females to a certain and reasonable degree. This society definitely differs from the European and American societies. The Arab-Islamic society has its

own traditions that impose certain restrictions and limitations on women and give special respect and status to parents… First and foremost, the most strict restrictions and limitations are on absolute sexual freedom that truly threatens both the society and the family in Europe and the United States of America. Therefore, the restrictions that are imposed by the Arab-Islamic society are valid and beneficial as well. I strongly recommend that you adhere to your traditions and code of ethics. Forbid coeducation. Restrict female freedom, or rather, return back to the full '*purdah*' (veiling) **practices Truly this is better for you than the sexual freedom of Europe and the United States of America. Forbid coeducation because we have suffered from it in the USA. The American society has become sophisticated, full of all forms and terms of sexual freedom. The victims of sexual freedom and coeducation are filling the prisons, sidewalks, bars, taverns and whorehouses. The** (false) **freedom that we have granted to our young females and daughters has turned them to drugs, crime and white slavery. Coeducation, sexual freedom and all other types of "freedom" in the European and American societies have threatened the family and shaken moral values and ethics."**

The question that poses itself to the women's liberation advocates is: What is the truly best, most beneficial and more protective system for the honor, dignity and protection of women?

Demands about Women's Rights

Women worldwide demand equal rights. There is not a system of law that preserves, maintains and protects what are truly women's rights, as much as Islamic law does, whether in the past or in modern times. This will be verified and substantiated in the following sections of the book.

Sir Hamilton, the well-known English thinker and philosopher, stated in his book on *Islam and Arab Civilization*:

"The rules, regulations and verdicts concerning women in Islam are clear, frank and open. Islam capitalizes on the complete care that should be given to the protection of a woman against anything that may harm her personally, or cause ill-fame to her reputation or character."

Gustave Le Bon, the well-known French thinker stated in his book "*The Arab Civilization*":

"Islamic virtuous deeds are not limited to honoring and respecting women, but rather, we can add that Islam is the first religion to honor and respect. We can easily prove this by illustrating that all religions and nations, prior to the advent of Islam, caused much harm and insult to women."

[p.488]

He also points out:

"Matrimonial rights which have been stated and illustrated in the Glorious Qur'an and by the interpreters of the meanings of the Glorious Qur'an are far better than European matrimonial rights for both husband and wife."

[p.497]

Over fourteen hundred years ago, Islam began to spread in the known world from *Makkah*, and then *Madinah*, where the Prophet of Allah, Muhammad bin Abdullah (ﷺ) taught his message. Islam spread its light through the teachings of the revealed scriptures of the Glorious Book of Allah, the Qur'an, and the inspired traditions of the *Sunnah* (Way) of Prophet (ﷺ) which are the undisputed basis of the Islamic law. The Islamic teachings and system of law had a profound impact on the lives of the followers of Islam, and consequently, this impact affected the societies in the lands where Muslims traveled and settled. Islam spread very rapidly in an astounding manner in the known world and left a comprehensive system of life that addresses every human need. Nor does it contradict, clash with or reject any of the lawful, sound and meaningful requirements of the human being's existence, which are essential to his continuity in life.

In order to understand changes that Islam brought for women, we must examine briefly the status of women prior to the advent of Islam in Arabic society and other civilizations in the world.

Status of Women throughout the Ages:

Women in the Pre-Islamic Societies and Civilizations

Women suffered in the pagan Arab society great injustices and were exposed to diverse kinds of humiliations prior to the mission of the Messenger of Allah (ﷺ). They were treated like material property to be disposed off at the whim of the male guardian. They were not entitled to inherit from their parents or husbands. Arabs believed inheritance should only be granted to those who had martial abilities, like being able to ride a horse, fight, gain war booties and help protect the tribe and clan territory. Since she did not generally have these qualities, she was herself inherited like any moveable commodity after the death of an indebted husband. If the deceased husband had adult sons from other marriages, the oldest son amongst them had the right to add her to his household, just as a son inherits other chattels of his deceased father. She was unable to leave the house of her stepson unless she paid a ransom.

As a general practice, men had the freedom to acquire as many wives as they desired with no set limits. There was no system of law and justice that would forbid a man from committing any injustice towards his wives. Women had no right to choose, or even consent to being chosen as a partner for marriage: they were simply given away. Women were forbidden to remarry if a husband divorced them.

In the pre-Islamic era of Arabia, fathers commonly became extremely angry and disgraced with the birth of a female child into their family. Some considered it an evil omen. Allah, the Exalted, describes the father's reception of the news about the birth of a daughter:

﴿**When the news of** (the birth of) **a female is brought to any of them, his face becomes dark, and he is filled with inward grief! He hides himself from the people because of the evil** (and shame) **of that which he has been informed. Shall he keep her with dishonor, or bury her in the dirt? Certainly, evil is their decision…**﴾ **[16:59]**

Women were not even able to practice some of the most natural of rights, for instance eating certain types of foods was allowed only for males. Allah, the Exalted, records this in the Glorious Qur'an:

﴿**And they say: What is in the bellies of such cattle** (whether milk or fetus) **is for the male alone, and forbidden from our females, however, if it was born dead, then all have shares therein...**﴾ **[6:139]**

The hatred of female babies prompted Arabs to bury them alive. Allah, the Exalted, states in the Glorious Qur'an with reference to the Day of Requital:

﴿**And when the female buried alive shall be questioned: for what sin was she killed?**﴾ **[81:8-9]**

Some fathers used to bury their female children alive if the child was leprous, lame or with birth defect. Allah (ﷻ) states in the Glorious Qur'an:

﴿**And kill not your children for fear of poverty. We provide for them and you. Surely, the killing of them is a great sin.**﴾ **[17:31]**

The one honor afforded to women during the pre-Islamic era was the protection of her person, family and tribe, and the revenge against any who humiliated or dishonored her, but even this was more for male pride, dignity and tribal honor than a concern for the female gender.

This situation about women in the Arab society led **Umar ibn al-Khattab**, the second Caliph of the Muslims (ﷺ) to say, as reported by Muslim:

> **"By Allah, we didn't use to think that women had anything until Allah revealed about them what He revealed in the Qur'an, and distributed to them what He distributed…"**

In Indian society women were treated generally as maids or slaves with no will or desire of their own. They had to follow their husbands in all matters. Women were given as payment for loss to a gambling opponent. To show devotion, they were forced to burn themselves alive by jumping onto the funeral pyre of their husbands after their death. This practice, called "*sutti*" continued until the end of the 17th century when this custom was outlawed in spite of the dismay caused to the Hindu religious leaders. Although outlawed formally, *sutt*i was widely practiced until the end of 19th century and still continues in some of the remote areas of India. In certain regions of India, women are offered to the priests as concubines, or as prostitutes to be exploited. In others, they were sacrificed to the Hindu gods to please them or seek rain. Some Hindu laws even declare that:

> "The predestined patience, the blowing wind or tornadoes, death, hellfire, poison, snakes and fire are no less evil than women".

It is also stated in Hindu religious books, that

> "When *Manna* [the Hindu god of creation] created women he imposed onto them the love of bed, seats, decoration [make-up], filthy lust (of all types and kinds), anger,

rebellion against honor and dignity and evil attitudes, behavior and conduct."

In the teachings of **Manna Herma Sistra** concerning women, one can read:

"**A woman may live without a choice regardless of whether she is a little girl, a young lady or a mature woman. A young girl is under the command and choice of her father. A married woman is under the command and choice of her husband. A widow is under the command and choice of her male children, and she may never become independent** (after the death of her husband)**. A widow may never remarry after the death of her husband, but rather, she must neglect all that she likes in terms of food, clothes, and makeup until she dies. A woman may not own or possess anything, as whatever she may gain or acquire shall go straight and immediately to the ownership of her husband.**"

In some rare cases, a woman had several husbands at the same time.[1] No doubt this made her look like a prostitute in society.

Women in the Chinese society occupied a low and degraded status. She was customarily assigned the most despised and least important jobs and positions. The male child was looked upon as a "gift" from the gods, and treated accordingly. As for the female child, she had to endure multiple hardships, like the binding of her feet in order to cripple her from running and other customs. A Chinese proverb says:

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[1]Refer to 'Hindu Inter-caste Marriage in India", Chapter 3 [Forms of Marriage] part 2 [Polyandry], by Haripada Chakraborti.

"Listen to your wife, but never believe what she says."

The status of women in the Chinese society was not much better than that of the pagan pre-Islamic Arab and the Indian societies.

Among the Greeks, women were degraded to the extent that men claimed that women were nothing but all evil. There was no system to protect women in that society. They were deprived of the rights to education; bought and sold like any other commodity; deprived of the right of inheritance; and considered as minors with no rights to make any transactions with possessions and wealth. Women were subjected to the will of men throughout their lives. Divorce was an absolute right of men. The common situation of women in the society led some Greek thinkers to say:

"Woman's name must be locked up in the house, as it is the case with her body."

Gustave Le Bon, the French thinker, stated about the status of women in the Greek society in his book "*Arab Civilization*":

"Greeks, in general, considered women to be the lowest creatures of the low. They were useful for nothing other than reproduction and taking care of the household affairs. If a woman gave birth to an 'ugly, retarded or handicapped' child, the man could take the liberty to kill the (unwanted or undesirable) child."

Demosthenes, the well-known Greek orator and thinker said:

"We Greek men, enjoy the company of prostitutes for sexual pleasure; 'girl-friends' and 'sweet-hearts', to care of our daily needs, and we marry to get 'legitimate' children."

From this licentious double standard, and depraved morality, we can see what fortune women had in such a society based on the statement issued by one of their top rank, well-known thinkers.

A woman in Roman society was also looked upon as an inferior being that could not run her own affairs. All authority was in the hands of men who totally dominated all private and public affairs. Men even had the authority to sentence their wives to death in certain cases when accused of specific crimes. The authority of man over woman in the Roman society included the right to sell her, punish her with tortuous punishments, send her into exile or kill her. The woman in Roman society had to listen to and obey all commands given by the man. And they were deprived of the right of inheritance.

Women in traditional Jewish society were not more fortunate than those previously described. In the Old Testament women were described as follows:

> **"I applied mine heart to know and to search, and to seek out wisdom, and the reason of things, and to know the wickedness of folly, even of foolishness and madness: And I find more bitter than death the woman, whose heart snares and nets, and her hands as bands…" [Ecclesiastes** (7:25-26)**]**

In the Septuagint, it says,

> **"And if a man sells his daughter to be a maidservant, she shall not go out as the menservants do. If she pleases not her master, who has betrothed her to himself, then shall he let her be redeemed: to sell her unto a strange nation he**

shall have no power, seeing he has dealt deceitfully with her. And if he had betrothed her unto his son, he shall deal with her after the manner of daughters. If he takes him another wife, her food, her raiment, and her duty of marriage, shall he not diminish. If he does not do these three unto her, then shall she go out free without money."

[Exodus (21:7-11)**]**

Thus, if a Jewish woman got married, her guardianship was transferred from her father to her husband and she became as one of his possessions such as his house, his slave, his maidservant or his money or wealth.

The Jewish teachings and laws deprived the girl of her father's inheritance if the father had other male children. In the Old Testament, the Septuagint, it says:

"**And thou shalt speak unto the children of Israel, 'If a man dies, and has no son, then ye shall cause his inheritance to pass unto his daughters'.**" **[Numbers** (27:8)**]**

Moreover, Jewish men never slept in the same bed with a menstruating woman, or ate with her or drank with her. Jewish men used to isolate themselves fully from a menstruating woman until she was completely free from her menses.

Christian priests went to the extreme of considering the woman as the cause of "original sin" and the source of all catastrophes from which the entire world has suffered. For this very reason, the physical relationship between man and woman has traditionally been labeled as "filthy" or "dirty" even if it were officially done and performed within a legitimate marriage contract.

Saint Trotolian says:

> **"Woman is the Satan's pathway to a man's heart. Woman pushes man to the "Cursed Tree." Woman violates God's laws and distorts his picture** (i.e. man's picture)**."**

Wieth Knudesen, a Danish writer, illustrated the woman's status in the middle ages saying:

> **"According to the Catholic faith, which considered the woman as a second class citizen, very little care and attention was given to her."**

In 1586 a conference was held in France to decide whether women should be considered as human beings or not. The conference came to a conclusion that:

> **"Woman is a human being, but she is created to serve man."**

Thus, the conference approved the rights for women as human beings, a matter that was in doubt and undecided! Moreover, those who attended the conference did not decide on full rights for the woman, but rather; she was a follower of man and a maidservant to him with no personal rights. This decision was in effect until 1938, when, for the first time, a decree was issued to abrogate all the laws that forbid a woman from conducting her own financial affairs directly and opening a bank account in her own name.

Europeans continued to discriminate women and deprive them of their rights throughout the Middle-Ages. It is also surprising to know that English laws turned a blind eye the man to sell his wife! The rift between the sexes, men and women, continued to increase, so much so that women became fully under the control of men. Women were stripped completely of all their rights and whatever they owned. All

that a woman owned belonged to her husband. For instance, until very recently women, according to the French law, were not considered capable of making their own financial decisions in their private ownership. We can read *article 217* of *the French law* that states:

> "A married woman has no right to grant, transfer, bond, own with or without payment, without her husband's participation in the sale contract, or his written consent to it, regardless of whether the marriage contract stipulated that there should be a complete separation between the husband's and wife's possessions and ownership of various items."

Despite all amendments and modifications, which occurred in these French laws, we can still see how these laws are affecting the married French women. It is a form of civilized slavery.

Furthermore, a married woman loses her surname (family's name) as soon as she enters into a marriage contract. A married woman shall carry the family name of her husband. This, of course, indicates that a married woman will only be a follower of her husband and she will even lose her personal identity.

Bernard Shaw, the well-known English writer says:

> **"The moment a woman marries; all her personal possessions become her husband's in accordance to the English law."**

Lastly, there is one more injustice that has been imposed upon the woman in the Western society which is: that a marriage bond is made to last forever, in accordance with the legal and religious teachings. There is no right of divorce

(according to Catholicism, at least). Husband and wife are separated physically only from each other. This separation may have contributed to all sorts of social decay and corruption, such as having affairs, mistresses, boyfriends, girlfriends, as well as possibly prostitution, and homosexual and lesbian relations. Moreover, a surviving widow is not given the chance to remarry and lead a normal married life after the death of her husband.

No doubt, what is called modern western civilization and which endeavors to globally dominate, is indebted to the Greek and Roman traditions for its civil foundations, and to the Judaic-Christian traditions for its ideological and religious foundations. The abuses mentioned above collectively led, due to gradual and eventual effects of technological and social modernization, to the expected and natural reaction: movements demanding women's rights in the society, led by thinkers, educators, lobbyists, and human rights and women rights' activists. The pendulum was set to swing in the other direction, and they demanded absolute equal rights and liberation from male chauvinism and abuses. In many of the modern secular societies women are indeed given numerous equal rights, but at the same time, equality has exposed them to the molestation and double standards rampant in the immoral materialistic culture that markets her as an object of sexual desire, for sale, contract or rent. The ensuing breakdown of the family unit, and the widespread sexual immorality, abortion, homosexuality, and criminal deviancy from sexual liberation, has led to some counter reactions in the society, especially from the religious conservatives, but apparently, the trends are too strong to turn the tide back. In this global context, and from this historical legacy, we will present the salient features of women's rights in Islam and

answer some common misconceptions, to show the superiority of following Allah's guidance rather than the men and women guiding each other by whim and desire.

Women's Rights in Islam: in general; as children and daughters; sisters; wives; mothers, and as kinfolk and neighbors

Islam deals with women in a comprehensive way in the context of her relationship with Allah, her Creator and Lord, with herself as a part of humanity, and with man, her partner and natural spouse in the family. During the presentation below, keep in mind the rights that other societies grant them in comparison to the rights to which Islam has entitled women. It is noteworthy that Islamic teachings are attentive to the needs and rights of the weaker gender throughout her life, as a daughter, sister, wife, mother, and as a member of the Islamic society.

Equality of Men and Woman in Islam, and their complementary nature to one another

In one sense, equality between men and women is possible and reasonable because they are both human, with similar souls, brains, hearts, lungs, limbs, etc. In another sense, equality between men and women is impossible and an absurdity due to their natural differences in physical, mental, emotional and psychological qualities, inclinations and abilities. Between these two we must tread to illuminate how they are equal, and how they are complimentary.

If total equality between all members of the same gender is impossible due to natural differences in strengths and other qualities, regardless of whether the gender is masculine or feminine, then it is definitely impossible between the two genders. Allah, the Exalted and Almighty, says in the Glorious Qur'an:

> ﴾**And of everything We have created pairs, that you may remember (the Grace of Allah).**﴿ **[51:49]**

Even atoms exhibit this dual quality mentioned, with inter-related and complementary roles played by the positive and negative particles and ions, yet each is an integral part of the whole system of the so called binary basis of all life. Most living beings have male and female sexes for reproduction. As the science of biology teaches us, all mammals have similar traits in their molecular and glandular structures that determine differences in gender. These basic physical, psychological and sexual traits have their definite effects on other spheres of life.

It is natural for a man to need and find fulfillment with a woman and for a woman with a man, since they are created

one from the other and for one another. They both are inseparably bound to each other. Neither can they find fulfillment except when in the company of the other as legal and honorable mate and spouse, as Allah (ﷻ) says in His Majestic Book, the Qur'an, mentioned in the two verses cited in the preface:

﴾**O Mankind! We have created you from a male and a female, and made you into nations and tribes, that you may know one another. Verily, the most honorable of you in the Sight of Allah is the believer who has *Taqwa*** (piety and righteousness) **and loves Allah most. Verily, Allah is All-Knowing, All-Aware.**﴿ **[49:13]**

In many instances Islam treats women as equals to men. Some of them are given below. In the coming sections we will expand on these themes in various contexts throughout the book.

1) Both the male and the female are equal in terms of their humanity. Islam does not categorize women, for instance, as the source of evil in the world for some "original sin" that caused Adam (ﷺ) to be dismissed from Paradise, or to be the cause of evil in the world by setting loose a Pandora's box of vices, as some other religious doctrines and fables teach.

Allah, the Exalted and Almighty, states in the Glorious Qur'an:

﴾**O mankind! Be dutiful to your Lord, Who created you from a single person** (Adam)**, and from him** (Adam) **He created his wife** (Eve)**, and from them both He created many men and women...**﴿ **[4:1]**

Allah also states in the Glorious Qur'an:

﴾**Does man think that he will be left neglected without being punished or rewarded for the obligatory duties enjoined by his Lord** (Allah) **on him? Was he not a mixed male and female discharge of semen pouring forth? Then he became a clot; then** (Allah) **shaped and fashioned** (him) **in due proportion, and made him into two sexes, male and female. Is He not able to raise to life those who are dead?**﴿ **[75:36-40]**

Allah illustrated in the verses that He created both sexes from one single source. There is no difference between the two sexes in terms of qualifications in humanity, and each complements the other as the two genders of the species. Islam has abolished and abrogated all the previous unjust laws that demoted women as inferior in quality and nature. The Prophet of Allah (ﷺ) said:

"Verily, women are the twin halves of men."
[*Abu Da`wood, Tirmidhi, & others* and verified**]**

2) Equal religious duties and rituals are required from both women and men. Testimony of Faith (*Shahaadah*), Prayer (*Salah*), Charity (*Zakah*), Fasting (*Saum*), and Pilgrimage (*Hajj*) are equally required of both genders. In some cases the requirements are a bit easier on women to alleviate their special cases of hardship. For instance, in consideration of her health and physical condition, menstruating woman or a woman in the state of postnatal bleeding and recuperation are absolved from the duty of the prayers and fasting. She is required to make up the days of fasting missed due to menses and postnatal bleeding, but not her prayers, as that would be too burdensome.

Sheikh **Muhammad Mutawali ash-Sha'rawi** said:

"From the very beginning of creation, the male has been distinguished and differentiated from the female. One completes the other. Based upon this we believe that such a precise division in terms of the sexes does indeed entail two different missions in life, otherwise, there would be no need for such differences in the sexes. This indicates that each sex has its own merits, while both are human beings. We can easily recognize the difference between day and night, although both help us realize one basic reality about time. The daytime grants us the ability to seek our daily provision, while the night grants us peace to rest. Man and woman, in this aspect of difference, very much resembles the case of daytime and night-time. There are certain things that are required from man only, based on his natural preparation. Similarly, there are certain things that are required from woman only, based on her natural preparation. Yet both are human beings who share many common characteristics."

Allah, the Exalted, says in the Glorious Qur'an:

﴾**The believers, men and women, are helpers, friends and supporters of one another. They enjoin all that is good, and forbid what is evil, establish prayers, give the** ***Zakah*** (Charity)**, and obey Allah and His Messenger. Allah will bestow Mercy on them. Surely Allah is All-Mighty, All-Wise.**﴿ **[9:71]**

3) Both males and females have similar rewards for obedience and penalties for disobedience in this world and the Hereafter. As stated by Allah in the Glorious Qur'an:

﴾**Whoever does righteous acts, whether male or female, while he is a believer, verily, to him We will give a good**

life, and We shall pay them certainly a reward in proportion to the best of what they used to do.》 [16:97]

And the Lord Most Majestic says:

《Surely for men who submit to Allah and for women who submit to Allah, for believing men and for believing women, for devout men and devout women, for truthful men and truthful women, for steadfast men and steadfast women, for humble men and humble women, for charitable men and charitable women, for fasting men and fasting women, for men who guard their chastity and women who guard their chastity, for men who remember Allah much and for women who remember Allah much, for all of them Allah has prepared forgiveness and a mighty reward.》 [33:35]

4) Women have the same moral obligations and are entitled to the same general rights as men in guarding chastity, integrity and personal honor and respect, etc. No double standards are allowed. For instance, those who falsely accuse a chaste woman of adultery or fornication are publicly punished, just as if a man is slandered. Allah, the Exalted, states in the Glorious Qur'an:

《And those who accuse chaste women, and produce not four witnesses, flog them with eighty lashes, and reject their testimony forever. Indeed, they are those who are liars, rebellious and disobedient to Allah.》 [24:4]

5) Women are equally qualified and allowed to engage in financial dealings and property ownership. According to Islamic law women can own, buy, sell and undertake any financial transaction without the need for guardianship, and

without any restrictions or limitations - a situation unheard of in many societies until modern times.

6) Islam indicates that a man who honors, respects and deals with women justly and integrally, possesses a healthy and righteous personality, whereas a man who mistreats them is an unrighteous and unrespectable man. The Prophet of Allah ﷺ said:

> **"The most complete believer is the best in character, and the best of you is the best to his womenfolk."**
>
> **[***Tirmidhi*** and verified**]**

7) Islam entitles women to the same rights as men in terms of education. The Prophet of Allah ﷺ said, as reported and authenticated by the scholars of prophetic traditions:

> **"Seeking knowledge is compulsory for each and every Muslim** (i.e. both male and female)**."**
>
> **[*Ibn Majah & al-Baihaqi*** and verified**]**

Muslim scholars collectively agreed that the word "Muslim" when used in revealed scriptures includes both male and female, as we indicated in parenthesis. Thus, Islam entitles women to the same right of education in order to understand the religious and social obligations and obligated them both to raise their children in the best manner, in accordance with the right Islamic guidance and means of education. Of course women have certain obligations in bringing up their children that are commensurate to their abilities and men have complementary obligations to finance, protect and maintain according to their added responsibilities in the family unit. In any case due to the stronger position of the male parent in the family, he is burdened with the overall responsibility of the family and accorded greater reward accordingly.

The Prophet (ﷺ) said:

"Whosoever takes care of three daughters and trains them well and marries them and treats them with the best of manners, will have the reward of Paradise."

[***Ahmad & Ibn Habban*** and verified**]**

About female slave girls, the Prophet of Allah (ﷺ) said:

"Whoever has a female child with him (under his guardianship from slavery)**, and trains her in the best behavior, and teaches her well, and then frees and marries her, will have a double reward."**

[*Bukhari, Muslim & others*]

8) Men and women have similar obligations and responsibilities to reform and correct the society to the best of their capability. Men and women shoulder the responsibility of enjoining good and forbidding evil equally, as Allah, the Exalted, states in the Qur'an**:**

﴾**The believers, men and women, are helpers, supporters, friends and protectors of one another, they enjoin all that is good, and forbid all that is evil, they offer their prayers perfectly, and give** ***Zakah*** (Charity) **and obey Allah and His Messenger. Allah will bestow Mercy on them. Surely Allah is All-Mighty, All-Wise.**﴿ **[9:71]**

9) Men and women have set and determined rights to receive their fair share of wealth, just as they are obliged to give *Zakah* (obligatory Charity) according to the set calculation. All Muslim scholars unanimously agree upon this. A woman has her set share of inheritance, as will be discussed in more detail later, which was a right unthinkable in many societies

Allah (ﷻ) says:

﴿There is a share for men from what is left by parents and those closely related, and there is a share for women from what is left by parents and those closely related, whether the wealth be small or large: a legal mandatory share.﴾ [4:7]

10) A woman, just like a man, can give someone the right of seeking refuge and security among the Muslims. Allah, the Exalted, says:

﴿And if one of the polytheists seeks refuge, give him until he hears the words of Allah, then take him to his place of security.﴾ [9:71]

The Messenger of Allah (ﷺ) said:

"…and the protection of Muslims is one, and the least among them can give protection; and whoever usurps the right of a Muslim then the curse of Allah and His angels and all the people is upon him, and no repentance or ransom will be accepted from him…"

[*Bukhari*]

This is also proven by the famous story of **Um Hani** ("Mother of Hani") when she gave protection to a polytheist who sought refuge with her on the day of the conquest of *Makkah* after her relative threatened to kill that person (for some past enmity) so the Messenger of Allah (ﷺ) said,

"We protect and give asylum to whom you protect and give asylum O Um Hani." [*Bukhari*]

These are just some of the rights, mentioned here as examples in a summarized way to indicate the comprehensive nature of the Islamic jurisprudence.

Women as Infants, Children and Daughters

Allah, the Exalted, states in the Glorious Qur'an concerning the necessity and importance of the preservation and care of new born children, the very first right of the child:

﴾And kill not your children for fear of poverty. We provide for them and for you. Surely, such a killing is a great sin.﴿ [17:31]

The aborting of the fetus and killing of children for any reason is the greatest of the sins, punishable severely by Allah and the Islamic legal system. Islam requires the parents to give their children beautiful names, take proper care of them, take care of all their needs, provide for them reasonably in accordance with the parent's income, and ensure a decent, respected and honorable life for them.

And the authentic prophetic tradition says:

"Verily Allah has prohibited for you to be disobedient and ungrateful to your mothers or to bury your daughters alive…" [*Bukhari*]

Thus they have the right of blood money if killed, as it is reported by **Aishah**, (ﵱ):

"Two women from the Huthail tribe fought and one threw a stone and killed the other and that which was in her womb, so the Prophet (ﷺ) judged that the blood money of the fetus is a slave boy or girl, and the

blood money of the woman (100 she-camels) **was to be paid by her clansmen."** **[*Bukhari & Muslim*]**

Allah, the Exalted, states in the Glorious Qur'an:

﴾Mothers shall nurse their children for two whole years, for those parents who desire to complete the term of suckling, and the father of the child shall bear the cost of the mother's food and clothing on a reasonable basis.﴿ **[2:233]**

Care and guardianship of children is the most important right after the right of (milk) nursing by the mother. The mother is entitled to the custody of the child, son or daughter at the early stage of life, between the ages of one and thirteen or fourteen. This applies particularly in cases of divorce due to essential differences between parents. Islam entitles the mother to her child's custody during early childhood because she, generally, is more caring and attentive to the child's needs. '**Amr bin Shu'aib** related that a woman came to the Prophet (ﷺ) complaining about her husband saying:

"My womb held my baby as a fetus, my breast nursed the baby as an infant, and my lap carried the child for a long time. Now the father divorced me and he wants to rip the baby away from me!"

He (ﷺ) said: **"You deserve the child's custody more as long as you do not remarry."**

[*Abu Da`wood & others* and verified as **correct]**

Abu-Bakr (رضي الله عنه) the first rightly guided Caliph passed a verdict in favor of 'Asim's mother, the wife of Umar bin

al-Khattab who later became the second Caliph (ﷺ), when Umar divorced her. **Abu-Bakr** (ﷺ) is reported to have said:

"Her smell, and the way the mother smells her child, and her kindness is better for him than you."

Parents are obligated to treat all their children mercifully and with compassion. **Abu Hurairah** (ﷺ) reported:

The Messenger of Allah (ﷺ) kissed Hasan ibn Ali (his grandson) in the presence of Aqra ibn Habis at-Tameemi who said, **"I have ten children and I never kissed any of them."**
Upon that he looked at him and replied: **"Whoever does not have mercy will not receive mercy."**

[*Bukhari & others*]

Islamic law stipulates that parents must care and pay attention to their children, especially girls for their special needs.

The Prophet (ﷺ) also said:

"Whoever supports two girls till they attain maturity, he and I will come on the Day of Resurrection like this." The Messenger of Allah (ﷺ) then joined his fingers to illustrate this. **[*Muslim*]**

And he (ﷺ) said:

"He who has three daughters and exercises patience with them, feeds them, clothes them according to his means, with due attention, they will become like a

barrier between him and the (Hell) **fire on the Day of Requital." [*Ibn Majah* and verified]**

Islamic laws and teachings mandate that parents raise their children with the best manners and offer them a sound, beneficial and healthy education. The Prophet of Allah (ﷺ) said:

"It is enough sin for a person to neglect those for whose care he is responsible." [*Muslim & others*]

Ibn Umar (رضي الله عنه) reported that the Messenger of Allah (ﷺ) said:

"Each one of you is a shepherd and each one of you is responsible for those under his care. A leader is a shepherd and is responsible for his citizens. A man is a shepherd of his family and is responsible for them. A woman is a shepherd in her husband's home and is responsible for whatever is under her care. A servant is a shepherd of his master's wealth and is responsible for whatever is under his care. Each one of you is a shepherd and each one of you is responsible for whatever is under his care."

[*Bukhari, Muslim & others*]

Islam commands justice in all matters and this general ruling is applied to all children regardless of their sexes. Allah, the Exalted, states in the Glorious Qur'an:

﴾Verily Allah enjoins justice and the doing of good, and liberality to kith and kin, and He forbids all shameful deeds, wickedness, and injustice and oppression. He admonishes you that you may take heed.﴿ [16:90]

Aishah, the Prophet's wife and the mother of the believers (ﷺ) said:

A poor woman came to my door carrying two little girls. I offered them three dates (i.e. since I had nothing else). She gave each of her two girls a date, and lifted the third one to her mouth to eat. Both her daughters urged her to feed them more, so she split the last date into two pieces and gave one half to each of her two daughters. I admired what the woman had done and told the story to the Prophet of Allah (ﷺ) who said upon hearing it:
"Verily Allah obligated paradise for her due to this act of hers" or **"liberated her from the Hellfire due to this act of hers."**

And in another authentic narration he said at the end:

"Whoever is tested by trials in caring for these daughters, they will be a cover for him from Hellfire." [*Bukhari & others*]

Islam calls for material and emotional justice and fair treatment from both parents to their children, regardless of their sexes. A male child is not to be given special preference over a female child, or vice versa.

The Prophet of Allah (ﷺ) said to one of his companions who had given a present to only one of his children:

"Did you give all your children like this?"
He said: **"No."**
He said: **"Fear Allah and be just with all of your children." [*Muslim*]**

Islam emphasizes the importance of taking care of the orphans. Being an orphan has a great negative impact on the mental, spiritual and emotional status of a child. This state may lead an orphan to deviation or corruption at times, especially if the orphan exists in a society that does not give him due care, fulfill his needs and be kind and merciful to him.

Islam pays special attention to the welfare of orphans, males and females alike. Islam requires that the immediate relatives of that orphan take good care of him/her. If there are no relatives, then it becomes the responsibility of the Islamic State to take care of them, manage their affairs and provide them with care. Allah, the Exalted, states in the Glorious Qur'an:

﴾As for the orphans, do not treat them with harshness.﴿ [93:9]

Allah, the Exalted, also states in the Glorious Qur'an:

﴾Verily, those who unjustly eat up the property of orphans, they eat up only a fire into their bellies, and they will be burnt in the Blazing fire!﴿ [4:10]

The Prophet of Allah (ﷺ) said:

"Verily I declare the gravity of the rights of the two weak persons: the orphan and the woman."

[*Hakim & Tabarani*]

Here he indicates the great sin to perpetrate any harm or injustice to these two, who, according to their natural

weakness in the society, often are neglected or denied their rights.

Allah's Prophet (ﷺ) also said:

"Avoid the seven cardinal sins that cause destruction."
The companions asked: **"O Prophet of Allah! What are these sins?"**
He said: **"To associate others in the worship of Allah, to practice sorcery, to kill a human soul for no just reason, to deal with interest, to devour the wealth of an orphan, to flee from the battle field, and to accuse the innocent, chaste, believing women with adultery."** **[*Bukhari & others*]**

Many other prophetic statements have been reported as urging believing Muslims to sponsor orphans, take good care of them, be kind to them, and demonstrate love and affection for them. For instance he said (ﷺ):

"I and the guardian of an orphan are like these two in Paradise." He then indicated with his index and middle fingers. **[*Bukhari & others*]**
He (ﷺ) is also reported to have said:

"Whosoever places his hand over the head of an orphan, placing it there only for the sake of Allah (with true mercy and affection)**, Allah will record the good deeds for that person according to the number of hair, that person's hand wipes of the orphan's head, and whoever does good to an orphan girl or boy of whom he is the guardian, I will be with him in**

Paradise like this." He then joined his index and middle fingers. **[*Tirmidhi* but with weak chain of narrators]**

Islam cares for welfare of those illegitimate children who, through no fault of theirs, are left without any acknowledgement from their parents. The Islamic government is required to take care of such children, exactly as any other orphan so that they may become, by the will of Allah, normal and beneficial members of the society. As the Prophet of Allah (ﷺ) said as a general ruling of benevolence:

"…you have reward for (doing good to) **every living being." [*Bukhari & others*]**

Islamic jurisprudence obligated the fathers (or guardians) to ask the opinion of the daughters when it comes to marriage, as her opinion is an essential condition for the validity of the marriage. She is free from any coercion, and may accept the person or reject a proposal. The Prophet of Allah (ﷺ) said:

"A divorcee or widow should not be married without her permission and a virgin girl must not enter wedlock until she approves."

They asked: **"And how does she approve O Messenger of Allah?"**

He said: **"She stays quiet** (i.e. out of shyness but doesn't indicate disapproval)**." [*Bukhari & others*]**

Imam Ahmad and others report that '**Aishah** (رضي الله عنها) said:

A woman came to Allah's Prophet (ﷺ) and said:

“**O, Prophet of Allah! My father offered me in marriage to his nephew to elevate his social status.**”

Allah's Prophet (ﷺ) returned the matter to her hands, to accept and approve the marriage or to reject. The woman said:

“**I approve now of what my father has done, but I wanted to teach other women that their fathers have no right in this** (to force them to marry whoever they want)**.**”

This is because daughters are precious, as the Messenger of Allah (ﷺ) said in a verified tradition:

“Do not force the daughters and girls for they are precious and delightful companions.”

[*Ahmed* and verified**]**

Women as Sisters

Brothers are responsible to treat their sisters with utmost care and concern for their welfare, honor and respect. If for any reason the father, grandfathers or uncles are not available to care and maintain for the mother and the daughters, this responsibility falls on the shoulders of the brothers when they come of age to fulfill to the best of their abilities.

The Prophet of Allah (ﷺ) said:

> **"Whoever has three daughters or three sisters, and fears Allah in their guardianship, will be together with me in Paradise like this."** He indicated with his index and second fingers.
>
> **[***Ahmad & others*** and verified by some**]**

Women as Wives

Allah, the Exalted, says in the Glorious Qur'an:

﴾Among His signs is that He created for you wives from among yourselves, that you may find tranquility in them, and He has put between you affection and mercy.﴿ [30:21]

One of the great signs of the Benevolence, Mercy and Power of Allah, the Exalted, is that He created for mankind mates, one from the other, so that they are comforted, satisfied and assisted by one another.

The Prophet (ﷺ) emphasized the importance of the marriage bond when he said in a verified tradition:

"Whoever marries has completed half of his religion so let him fear Allah in the remaining portion."

[*Tabrani* and verified**]**

The basic foundation of the society is the family, and the husband and the wife are co-partners in that family upon which a Muslim home is established. For the success of the family and the tranquility of the home, Islam grants each spouse certain rights and duties. We will only focus on the rights of the wives in the following section.

Dowry: A dowry is the right of every bride at the time of marriage. A marriage contract is not considered legal and complete unless and until a dowry has been specified. This right cannot be forfeited, even if the bride approves, until after the marriage contract is completed. The dowry

belongs to the woman entering marriage, and she has the freedom to do whatever she wants with what she owns after the marriage contract is fulfilled. Allah, the Exalted, states in the Glorious Qur'an:

﴾Give the women whom you marry their dowry with a good heart. If they remit any part of it to you, of their own good pleasure, take it and enjoy it fully without fear of any harm.﴿ [4:4]

The husband is not allowed to take anything back from the dowry if he decides later to divorce her; as Allah, the Exalted, states in the Glorious Qur'an:

﴾If you intend to replace a wife by another and you have given one of them a huge sum of gold as dowry, take not the least of it back; would you take it wrongfully without a right and with a manifest sin. And how can you take it back while you have entered with intimate relationship unto each other, and they (the wives) **have taken from you a firm and strong covenant?﴿ [4:20-1]**

This verse indicates, significantly, the sacredness of the marriage vows and the intimacy of the marriage relationship, as well as the right of retaining the dowry gift in case of divorce. Allah, the Exalted, also states in the Glorious Qur'an:

﴾O you who believe! You are forbidden to inherit women against their will, and you should not treat them with harshness, that you may take away part of the dowry you have given them, unless they commit

open illegal sexual intercourse. Live with them honorably; if you dislike them, it may be that you dislike a thing and Allah brings through it a great deal of good.》 **[4:19]**

This verse ensures the wife's rights and complete justice even if the man dislikes her for any reason. This is also mentioned in an authentic prophetic tradition wherein **Abu Hurairah** (ﷺ) reported that the Messenger of Allah (ﷺ) said:

"A believer must not hate a believing woman (i.e. his wife)**: if he dislikes one of her characteristics, he will be pleased with another."** **[*Bukhari*]**

<u>Financial Support</u>: The husband must give honorable and sufficient sustenance to his household according to his status and means. Allah, the Exalted, says:

《Let the rich man spend according to his means, and the man whose resources are restricted, let him spend according to what Allah has given him. Allah puts no burden on any person beyond what He has given him. Allah will grant after hardship ease.》 **[65:7]**

If a sufficiently rich man refuses to spend on his family in accordance with his level of means, and the wife was able to take a portion of his wealth… she may take that which satisfies her essential needs and that of her children, avoiding wastage and extravagance. **Hind bint 'Utbah** came to the Prophet (ﷺ) complaining about her husband, Abu Sufyan, saying:

"My husband is a miser and does not spend enough on me and his children."

He replied: **"Take whatever suffices you and your child within proper bounds."** **[*Bukhari*]**

If a husband came under heavy financial strain and was incapable of fulfilling his family's financial needs, or if he left his wife for an extensive period of time, whereby the wife was harmed due to that absence, the wife is entitled to seek court intervention, if she desires to annul that marriage, as indicated by the verdicts of the jurists in Islamic jurisprudence.

The Prophet of Allah (ﷺ) explained these rights when he said:

"Fear Allah in (the affairs of) **women for you have taken them by the oath of Allah, and made their intimate relations legal by the sacred word of Allah: your right is that no one you dislike should** (be allowed to enter) **sit on your bed** (or cushions)**, and if this happens then you may hit them lightly, and their right is that you feed and clothe them within proper bounds."** **[*Muslim & Abu Da`wood*]**

The Prophet (ﷺ) said to his companion Sa'ad ibn Abi Waqas (رضي الله عنه):

"No amount you spend on your family seeking reward from Allah but that He will reward you even if it is a bite of food that you put in your wife's mouth." **[*Bukhari*]**

<u>Justice, Equality and Fairness</u>: Men who are married to more than one wife are required to act with justice,

fairness and equality in dealing with them. This includes provision, clothing, housing and sharing his time, concerns and intimate relations. Allah, the Beneficent, says:

﴾**And if you fear that you shall not be able to deal justly with the orphan-girls, then marry** (other) **women of your choice, two or three or four, but if you fear that you shall not be able to deal justly** (with them)**, then only one or** (the captives and the slaves) **that your right hands possess. That is better to prevent you from doing injustice.**﴿ **[4:3]**

The Prophet of Allah (ﷺ) said:

"He who has two wives and leans to one as opposed to the other will come on the Day of Resurrection with one of his sides fallen."

[*Tirmidhi, Hakim & others* and verified**]**

This indicates that the husband must demonstrate justice, fairness and equality amongst all his wives. He is warned of this dire punishment of paralysis and deformity in the hereafter, just as he paralyzed and deformed the rights of one of his wives in this world.

It is unlawful for a man to mistreat his wife in any fashion with abuse, hardships, harassment, undue burdens, insults, beatings, abuse to her wealth and funds, forbidding her from lawful outings, etc in an attempt to force her to pay all that she possesses as ransom to her husband so that he may release her through divorce. Islamic laws do permit the husband to impose certain

restrictions upon the wife who displays some immoral and shameful conduct, dishonorable to him and his family, and harmful to the entire society and social order. The purpose of these restrictions is to seek her to return to proper behavior. Those who continue to act indiscreetly, leading to suspicion of actual infidelity may be offered divorce, just as she may seek "*Khul'a*" wherein she asks for dissolving the marriage contract due to his misbehavior.

Protection and Preservation: A husband must protect and prevent his wife and children from any possible harm or immorality to the best of his abilities. Allah, the Exalted, says:

﴾**O you who believe! Save yourselves and your families from a Fire whose fuel is Men and Stones, over which are** (appointed) **angels stern** (and) **severe, who disobey not the Commands they receive from Allah, and do what they are commanded.**﴿ **[66:6]**

All that protects from unlawful and shameful deeds is commendable, but extremism is not. He (ﷺ) also said:

There is a kind of jealousy that Allah loves and a kind which He hates: the kind that he loves is in the doubtful acts, and the kind he hates is in the acts without any doubt." **[*Ahmad, Abu Da`wood & Nisa`e*]**

Certain types of jealousy are acceptable and commendable, and others are not, as the Prophet of Allah (ﷺ) explained above, and in a verified tradition he said:

"Verily Allah gets jealous and the believer gets jealous and the jealousy of Allah is to see a believer doing unlawful acts…" [*Bukhari, Muslim & others*]

And he (ﷺ) said:

"Three persons do not enter Paradise: the disobedient one to his parents; the one without commendable jealousy (about his wife)**; and the women who act** (and dress) **like a man."**

[*Ahmed* and verified]

Companionship, care and intimate relationship: A husband must live with his wife honorably, kindly and with respect. He must maintain a decent, clean and acceptable appearance when he relaxes in his household, just as he likes his wife to do for him at home, since this is only mutual respect and decency to another. The Prophet of Allah (ﷺ) said, encouraging and explaining the comprehensive principle about good character and behavior:

"The most complete believers are those with the best characters, and the best of you are those who are best to their womenfolk."

[*Tirmidhi & Ibn Habbaan*, and verified]

The Messenger of Allah (ﷺ) used to mend his own clothes or shoes and help his wives with their daily chores. His wife **Aishah** (رضي الله عنها) was once asked:

"What did the Messenger of Allah use to do while at home?"

She responded: **“He used to serve and assist his household, and when he would hear the call to prayer, he would leave the house** (for worship)**.”**

The Messenger of Allah (ﷺ) was always pleasant, kind and caring to all, and would occasionally play and joke politely with his family members. The Prophet of Allah (ﷺ) said:

“Everything without containing the remembrance of Allah is just amusement and play except four: to joke and play with one's wife, to train one's horse, to walk between two destinations, and to learn swimming.”

[*Nisa'e* and verified**]**

This tradition indicates that most pastimes and amusements are built merely for play, a waste of time and are therefore without reward, except these mentioned above which are useful, lawful, and fulfill valid beneficial purposes. Allah's Prophet (ﷺ) also is well known for being cheerful and decent in joking with his family and playing with them. An example of this fun pastime is when '**Aishah** (رضي الله عنها) the mother of the believers, said:

Allah's Prophet (ﷺ) raced with me and I won the race before I grew and gained weight. After I became a bit older and put on weight he raced with me again and he won. The Prophet of Allah (ﷺ) said to me upon winning the race:
“This (win of mine makes up) **for that** (win of yours)**.”**

[*Ahmed , Abu Dawood, Ibn Hibbaan* and verified**]**

The Messenger of Allah (ﷺ) is reported to have sat in the house for a short while with his family, talking to them, giving them company and showing kindness, before going to sleep, and after offering the late evening prayer. In the authentic traditions we find that **Ibn 'Abbas** (رضي الله عنه) narrated:

> "I slept at the house of Maymunah (his aunt and the Prophet's wife) one night - when it was her night turn - to see the Prophet's worship in night prayer. He talked with his wife for a period of time, and then slept. Later in the night he awakened and prayed what Allah had written for him."

Allah, the Exalted, states in the Glorious Qur'an:

> ﴾**Indeed in the Messenger of Allah you have a good example to follow for whoever has hope in** (the Meeting with) **Allah and the Last Day, and remembers Allah much.**﴿ **[33:21]**

Hence, Allah's Prophet (ﷺ) is the best example to follow for all of us, the believing Muslims. Muslims ought to follow the pattern of Allah's Prophet (ﷺ) in all of their affairs, personal and public, throughout their life.

All the secrets of the wife should be kept and preserved and her shortcomings hidden. No private affairs should be made public or shared as a conversation item, even among the closest friends. The Messenger of Allah (ﷺ) said:

> **"One of the worst people in the sight of Allah on the Day of Resurrection is a man who has intimate**

relations with his wife, or a wife who has the same with her husband, then one of them discloses that privacy to others.” [*Muslim & others*]

It is the right of the married woman to spend the night with her husband and have sexual fulfillment, satisfaction, and gratification. This right is one of the most emphasized rights in Islam, equal to the need of man to have his fulfillment. The husband is required and obliged by Islamic law to fulfill the sexual rights of his spouse, to ensure the satisfaction of the spouse so as to prevent her from being inclined towards shameful acts, may Allah forbid. A spouse, as any other female, has a great need for being loved and cherished, cared for, and fulfillment of her natural and physical rightful desires.

Islam forbids husbands from engaging themselves in matters of physical worship and devotions, like prayers and fasting, in a way that may detract them from attending to their spouses’ physical, sexual and social needs. In a famous incident **Salman Al-Farisi** (ﷺ) reported:

"I went to visit my brother in faith, Abu-Darda (ﷺ) and upon arrival, I was greeted by his spouse Um Darda (ﷺ) who was in an unkempt state. Seeing that, I asked her, '**What is the matter with you; why are you in this state and not attentive to your husband?**'
She said: '**Your brother, Abu-Darda has no interest in this world and its affairs. He spends his nights praying and days fasting!**'

Upon the arrival of Abu-Darda, who welcomed Salman and offered him some food, Salman said: '**Why do not you eat with me?**'
Abu-Darda said: '**I am fasting.**'
Salman said: '**By Allah you must break your fast and eat with me.**'
Abu-Darda broke his fast and ate with Salman. Salman spent that night with Abu-Darda, and Abu Darda got up during the night to offer some night prayers whereupon Salman stopped him from doing so, saying: '**Your body has certain rights upon you, your Lord has certain rights upon you, and your family has certain rights upon you. Fast some days and break the fast on others, approach your spouse** (for marital relations)**. Grant everyone their due right.**'
Just before the break of dawn, Salman permitted Abu-Darda to get up and offer prayers. Both of them rose, performed ablution, offered prayers and then headed to the Masjid to offer Fajr (dawn) prayer. Upon finishing the prayer with the Prophet of Allah (ﷺ) Abu-Darda reported to the Prophet about the incident. The Prophet of Allah (ﷺ) said: '**Salman has spoken the truth.**'" **[*Bukhari & others*]**

Considering the needs of his wife, a husband should not be away from home for an extended period of time. Caliph Umar ibn Al-Khattab (رضي الله عنه) after consulting with his daughter Hafsa (رضي الله عنها) about the length of the period a woman can patiently bear her husband's absence, set this period six months.

Abdur-Razaq and others narrate a famous story that:

"Umar ibn al-Khattab (ﷺ) was making night rounds when he heard a woman lament:

The night has grown long, and its end is dark and black,
I am sleepless since I have, with whom to play, no lover,
If there was not (the Lord) whose Throne is above the Heavens,
The sides of this bed, would roll, shake and quiver!

In the morning he went to her and asked her the reason for her poetry, and she answered that her husband had gone with the soldiers on a long campaign. Umar then conferred with his daughter Hafsa on how long a woman can be patient for her husband to return. After some moments of hesitation and embarrassment, in which he convinced her that this question was for the general good of the Muslims, she replied six months."

After this, Umar would close a campaign within six months so that they could return to their wives within that time.

This period is approximate since circumstances may allow it to be less, or force it to be more. She may tolerate the absence of her husband for more than six months, or she may demand him to come back before that time.

The husband may not refuse or deny his spouse's legitimate request unless he has a valid excuse. A husband must not make any financial decisions on behalf of his spouse unless she gives him such permission. The

husband has no right to take any of his spouse's financial assets without her approval.

He must also consult his spouse in the major household decisions, children's affairs and other mutual affairs. It is not wise to dictate a man's opinion upon the other members of the family without listening to the spouse's opinion, as long as her opinion is wise and correct. Allah's Prophet (ﷺ) gave us a practical example in this matter. On the "Day of the Pact" with the Quraish tribe, the Prophet (ﷺ) commanded his companions to shave their heads and to exit the state of '*Ihraam*', but they were slow and did not hasten to fulfill his command. Um Salamah (رضي الله عنها) his wife, recommended that he do so himself and then go out before his companions. Allah's Prophet acted upon the recommendation of his wife, doing what she suggested, and when the companions saw his action they all hastened in obedience.

A husband must avoid counting every innocent mistake his spouse may make. For instance, the Prophet of Allah (ﷺ) said:

> **"A husband may not come to his home from a journey late at night** (i.e. without announcing his arrival in advance)**."** **[*Bukhari, Muslim & others*]**

This recommendation is given so that the husband may not find his spouse in an unprepared state, which might become a reason for his displeasure. Of course with the modern facilities, nowadays husbands have the ability to inform their wives well in advance, whether the arrival is during the daytime or late in the night.

It is the obligation of a husband to be kind, attentive, sharing and caring with his spouse. He must deal with her with honesty, decency, patience and care, and must take into consideration her human nature. Women appreciate being loved tenderly and well taken care of. A husband must demonstrate his affection, love, appreciation, caring, consideration and genuine keenness to his spouse.

The system of divorce in Islam is designed to protect the rights and interests of the women, and allow ample opportunity and time for reconciliation. We will discuss in more detail below, but here we only mention that in divorce, as in marriage, one must act decent with civil behavior to assure the right of both parties, as Allah, the Most Wise, says:

﴾**Divorce is two times: then one may retain with goodness** (and reasonable terms)**, or let go with goodness** (and reasonable terms)**.**﴿ **[2:229]**

Women as Mothers

Allah, the Most Beneficent, has repeatedly emphasized the right of parents in general and the mother in particular. Allah, the Exalted, states in the Qur'an:

﴾**Your Lord has decreed that you worship none but Him; and that you be good to your parents. If one of them or both reach old age in your life, do not say to them a word of the faintest complaint or disrespect, nor shout at them; but address them in terms of honor.**﴿ **[17:23]**

In this verse the right of Allah to be worshiped is placed adjacent to the right of parents, and all scholars agree that the rights of parents in Islam are greater and placed before all others except Allah.

Obedience to parents must be given priority over all others including the wife. This does not mean that the wife to be humiliated or insulted in any matter, but only that parents should be given priority in obedience over all others on the condition that they do not disobey Allah, the Exalted, and His Prophet (ﷺ).

Allah's pleasure or displeasure with man is but an indication of the pleasure of the parents with their son or daughter, as the Prophet indicated (ﷺ) when he said:

"Allah's pleasure with man is through the pleasure of the parents and His displeasure is through the displeasure of the parents." **[***Tabrani* and verified**]**

"*Birr al-Walidain*" means being obedient, good and kind to them, pleasing them and taking care of their needs, especially in old age. Serving them is considered obligatory service and preferred over participating in the various acts of volunteer service like in some form of *Jihad* (i.e., striving in the cause of Allah). A man came to ask permission to go for Jihad and the Messenger of Allah (ﷺ) asked if his parents were alive to which he replied in the affirmative. Then he said to the man:

"So strive for them and exert yourself (*jaahid*)**."**
[*Bukhari & Muslim*]

This means that a mature son should work diligently to help his parents and serve their needs. Unless a Muslim is compelled to take a part in defensive Jihad, the care for parents is given priority. This is also confirmed in the authentic tradition **Ibn Mas'ood** (رضي الله عنه) narrated:

"I asked Allah's Prophet (ﷺ): '**O Prophet of Allah: What is the most beloved act in the sight of Allah?**'
He said: **"Offering the prayer in its proper time."**
I asked: '**What comes next, O Prophet of Allah?**'
He said: **"Being good, kind, respectful, obedient and caring to your parents."**
I further asked: '**What comes next, O Prophet of Allah?**'
He said: **"Striving in the cause of Allah."**

In another tradition **Abdullah bin Amr bin al-Aas** (رضي الله عنه) narrated:

"A man came to the Messenger of Allah (ﷺ) and said to him: '**O Messenger of Allah! I shall give you my pledge of allegiance to migrate and strive in the cause of Allah seeking His reward only.**'

Upon hearing that the Prophet (ﷺ) asked the man: **"Are your parents alive?"**

The man said: '**Yes, O Prophet of Allah, both of them are living.**'

He said: **"Do you seek the reward from Allah?"**

He said: '**Yes.**'

He said: **"Then go back to your parents and be the best and kindest companion for them."** **[*Muslim*]**

And in another authentic tradition **Mu'awiyyah as-Sulami** said to the Messenger of Allah (ﷺ):

'**I want to go for Jihad in the way of Allah.**'

The Messenger of Allah (ﷺ) asked: **"Is your mother alive?"**

He said: 'Yes.'

He said: **"Stay with her, for *Jannah* (Heavenly Gardens) is under her feet."**

[*Ahmed, Nasa'e, Haakim & others* and verified]

This idiomatic expression shows the degree of deference, respect and obedience that the children should show to their mother to earn her pleasure by continuous care and service, which leads to attaining the pleasure of Allah and His Paradise, the promised reward for all rightly guided and devout believers.

Mothers have greater right and deserve more kindness, helping service, good treatment and companionship than

the fathers because the mother is the first one to care for the children and she suffers more directly with daily hardships in their upbringing. Bukhari and others report that **Abu-Hurairah** (ﷺ) narrated:

"A man came to the Prophet (ﷺ) and asked him: '**O Prophet of Allah! Who is the most deserving and worthy of my good company?**'
Allah's Prophet (ﷺ) answered: **"Your mother."**
The man asked: '**Who comes next after her?**'
He said: **"Your mother."**
The man asked again: '**Who comes next after her?**'
He said: **"Your mother."**
The man asked again: '**Who comes next after her?**'
He said: **"Your father."**

This comprehensive lesson is a summary proving that the mothers deserve the utmost in obedience, benevolence and concern throughout their lives.

This tradition indicates that a mother has three times the rights of that of a father due to the sufferings she experiences during the various stages of her child's life; in pregnancy, delivery, nursing, and raising the child. The fetus nourishes and thrives on the account of the mother while in womb for nine months and for two more years if the mother decides to breast-feed her child. Allah, the Exalted, states in the Glorious Qur'an:

﴿**And We have enjoined on man to be dutiful and good to his parents. His mother bore him in weakness and hardship upon weakness and hardship. The duration of carrying him** (in the womb) **and weaning**

is two years. So thank Me and to your parents; unto Me is the final destination.》 **[31:14]**

Mothers are given priority over fathers in terms of special kindness, care, duty, help, and obedience. Both parents, in accordance with Islamic teachings and principles, are to be obeyed, respected and not differed with as long as they do not command or order their children to disobey their Creator. If they order their children to perform an act of disobedience to Allah then they are to be disobeyed in that particular matter only and a son or daughter must continue to fulfill their normal duties towards parents in other matters. They are expected to serve them, help them in their worldly affairs, and come to their rescue when they need them. Allah, the Exalted, states in the Glorious Qur'an:

《**And if parents strive with you to make you join in worship with Me that of which you have no knowledge, then obey them not, but behave with them in the worldly** (affairs) **kindly, and follow the path of him who turns to Me in repentance and obedience. Then to Me will be your return, and I shall tell you what you did throughout your life.**》 **[31:15]**

Parents must be respected, obeyed and offered financial assistance by their children, even if they have a different religion or faith, other than Islam, as long as they do not demand that their son or daughter do any act of disobedience to Allah. **Asma binte Abu-Bakr** (رضي الله عنها) said:

My mother, who was still a pagan, came to visit. I went to the Messenger of Allah (ﷺ) seeking his verdict. I said, **"She has come to visit and she is interested in Islam, should I maintain my relationship with her?"** the Messenger of Allah (ﷺ) said: **"Yes, indeed, stay connected to your mother."**

Islam's encouragement to sons and daughters to treat their mothers with kindness, obedience and care - and to beckon to give any possible assistance to their parents in their various daily household chores - is illustrated in the following lengthy tradition wherein **Abu-Hurairah** (رضي الله عنه) narrated that the Prophet (ﷺ) said:

"Only three infants spoke while still in the cradle. The first was Jesus, son of Mary (عليه السلام).

The second was an Israeli at the time of Juraij, a monk who used to seclude himself in a chamber and devote his time to prayer and the worship of Allah. One day Juraij's mother asked for his help while he was engaged with his prayers. He said: 'O Allah! I am confused as to whom should I give priority; my prayers to you or my mother.'
He continued his prayers, and neglected his mother's request for help; upon this Juraij's mother left. On the following morning the mother did the same, and Juraij also continued his prayers and neglected his mother's call for help. On the following day, Juraij's mother came again to him and called him to help her, as she had done in the past two days. Juraij did not respond. Upon seeing that, the mother said: 'O Allah!

Have Juraij look at the faces of prostitutes before he dies.'

At the time Israelis used to highly admire the amount and manner of Juraij's worship, prayers and seclusion to which he devoted himself. A very beautiful and attractive prostitute that was popular among the people proposed to Israelis: 'If you wish, I can tempt Juraij and cause him to have illegal sexual relations with me.'

The prostitute set out to execute her plan, trying her best to lure Juraij into illegal sex with her, but her efforts were a failure. She then approached a shepherd who used to graze his flock close to Juraij's chamber and offered herself to the shepherd who showed no hesitation. The prostitute became pregnant and upon delivery accused Juraij of being the father of the child. The Israelis went to Juraij in his chamber, drove him out, destroyed the chamber and started beating him.

He asked: "What is the matter? Why are you beating me?"

They said: "You have fornicated with this prostitute and she delivered a baby from you, while you pretended to be a pious man."

Juraij said: "Would you bring the baby here and let me offer my prayers to prove to you that I am not the father of that child."

The Israelis permitted Juraij to offer his prayers, and they brought the baby. When Juraij finished his

prayers, he went to the baby and pointed to his belly with his hand asking: "Who is your real father?"
The baby still in the cradle, said: "My father is the shepherd."
Upon hearing the baby's statement and confession, the Israelis started kissing Juraij, seeking his blessings and said: "Should we reconstruct a chamber out of gold for you?"
He said: "No. But just rebuild it of clay and mud as it was built before."
And so they did.

The third baby who spoke in the cradle was an infant who was nursing at his mother's breast when a knight wearing fancy clothes passed by on a beautiful horse. The nursing mother said: 'O Allah! In the future let my son be like this knight.'
Upon hearing this supplication the nursing infant left his mother's breast and said, while looking at the knight himself: 'O Allah! In the future do not make me like this knight'. Then the infant went back to sucking.

(The narrator of the Hadith, **Abu-Hurairah** ﵁)**, said:**

'I can remember the Prophet (ﷺ) imitating the infant's nursing his mother's breast by placing his index finger in his mouth and sucking it.'
Then the mother and her nursing infant passed by a maid who was being beaten by her master and others accusing her with fornication and theft. The maid

continued to say: 'Allah suffices me and He is My Guardian!'

The mother said: 'O Allah! Do not let my child be like this woman in the future.'

Upon hearing his mother's statement, the infant left his mother's breast and said: 'O Allah! In the future let me be like this woman!'

The mother, upon hearing her infant's statement, addressed him saying: 'Son! What is the matter with you? A nicely dressed knight passed by on a very nice horse, with a high status and power and I wished that you would be like him in the future; but you refused to be like him. Then when we passed by that maid who was beaten and disciplined for an accusation of fornication and theft, and I prayed to Allah for you not to be tortured and accused like her, you also rejected my supplication.'

The infant said: 'O Mother, as for the knight, he was a tyrant and thus I asked Allah not to make me like him. As for the beaten and accused maid, she had neither fornicated nor stolen. Thus I asked Allah to make me innocent and pure like her!"

Disobeying parents, disrespecting them and failing to fulfill their rights is the greatest of sins. The punishment from Allah of this sin is not only in the hereafter but in this life as well, as it is narrated that the Messenger of Allah (ﷺ) said:

“Two (kinds of sins) **Allah will forward** (the punishment of) **in this world: violent transgression and disobedience of children to their parents.”**

[*Bukhari* in his *Tareekh &* ***Tabrani*** and verified**]**

The Messenger of Allah (ﷺ) also said:

“Verily, Allah has forbidden you to disobey your mothers, to prevent people from their rights, to ask people for what you are not entitled, to bury your baby-girls alive. He detests for you to gossip, to ask too many questions, or to waste your wealth.”

[*Bukhari* and others**]**

The Prophet (ﷺ) illustrated that being good and kind to parents is essential in the fulfillment of the supplications and prayers of man throughout his life, as **Ibn Umar** (ﷺ) reported the Prophet (ﷺ) as saying in a lengthy tradition:

“Three men of the previous times set out on a journey. When night approached they slept in a cave at the base of a mountain. Upon entering the cave, a boulder rolled down and completely closed the cave's entrance. They talked the situation over and concluded that there was no way out of this trouble except with prayers and supplications. 'We had better seek the help of Allah referring to the best and most righteous deed that we have done in our lives.'

The first man said: 'O Allah! I had two elderly parents and I never would offer my wife and children anything to eat or drink before I offered them. One day I had to go a long distance seeking food for my herd and I was late coming back. Upon arrival I

found both of my parents asleep. I milked the sheep in order to offer my parents their dinner, but since I hated to wake them up for their drink, I remained standing next to them carrying the milk pot in my hand waiting for them to wake up. I did not offer my wife or children anything before I offered them. At the break of the Dawn, they woke up and by this time my children were at my feet crying for milk. When they woke up, I offered them their milk. O Allah! If you know that I have done that for Your sake, please rescue us from this trap.'

Upon that the rock was moved slightly away from the cave's entrance, but not enough to let them out.

The second man said: 'O Allah! I had a female cousin from my father's side who was the most beloved woman to me on the face of the Earth. I had an intense desire for her, but she refused. At one point in time she came under financial stress due to famine. She came to me asking for help. I offered her a hundred and twenty golden Dinars so that she would let me have what I wanted from her. Under the duress of her pressing need and financial situation she agreed. When I was ready to begin relations with her, she said, 'O Cousin! Fear Allah! And do not remove the seal of virginity except in the rightful manner.' Upon hearing that, I got up and did not touch her, although she was the most beloved and desired woman to me. I did not take back the gold, which I gave her.'

Then he raised his hands to the heavens and said: 'O Allah! If You know I have done, what I did, for Your cause and pleasure, please remove the trap that we are in. Remove the rock from the cave's entrance so that we can get out!'
Upon which, the rock moved another small distance but still not enough to enable them to escape.

The third man said: 'O Allah! You know that I once employed some workers and at the end of the day I paid their wages except to the one who had left without collecting his pay. I invested his wages in my business and kept a special note and account for it. The money that belonged to this worker grew during the years, and after many years the worker came to me asking for the wage that he did not take on that day of his work. I pointed out to him large herds of sheep, cows, camels, and slaves and servants, and said to him: 'All that you see is yours! That is the wage that I owe you!' The poor worker was stunned and said: 'Please do not ridicule and make fun of me! I am only asking for my one-day wage. The employer said: 'I am neither ridiculing you nor making fun of you. This is all yours.' The worker took all that I pointed out for him and left.'
Then the man raised his hands to heavens and said: 'O Allah! If I have done what I did for Your cause and pleasure, remove the trap from which we are suffering.'

Upon that the rock rolled away from the cave's entrance and the three men left the cave, free once again.' " [*Bukhari* and others]

Islam teaches that seeking the pleasure of the parents, and being good, kind, helpful, considerate to them, respecting and caring for them throughout their life, is a major way to expiate and remove the burden of our sins in this world. **Abdullah Ibn Umar** (ﷺ) said:

"A man came to Allah's Prophet (ﷺ) and said: '**O Prophet! I have committed a major sin. Do you think that I can atone for it?**'

He asked: "**Do you have a mother living?**"

The man answered in the negative.

The Prophet (ﷺ) asked the man: "**Do you have a maternal aunt living?**"

The man answered in the positive. Allah's Prophet (ﷺ) said to him: "**Be good and kind to her."**

[*Tirmidhi, Hakim, Ibn Hibban* and verified]

This tradition indicates her right since the maternal aunt, in Islamic jurisprudence, has a similar status in some respects as of the mother, since the Prophet of Allah (ﷺ) said:

"The sister of the mother has a status similar to the mother." [*Bukhari*]

Islam requires that the rights of parents should continue to be honored and respected even after their death. **Malik Ibn Rabee'ah** reported:

"While we were sitting with the Messenger of Allah ﷺ a man from Bani Salamah came to him and asked: '**O**

Messenger of Allah! My parents have passed away. Is there anything required of me to do to fulfill their rights after their death?'

He said: "**Yes indeed; prayers on their behalf; asking Allah to pardon them and forgive them; fulfilling any promises that they have made; and maintaining strong ties with the relatives you have through your parents; and honoring and being hospitable to their friends." [*Abu Da'wood*]**

These broad guidelines show the major rights of parents in general, and mothers in particular, and illustrate that mothers remain uniquely respected in Islamic teachings.

Women as kinfolks and neighbors

The same general rights are legislated in Islamic jurisprudence for women as are required for men. A concern for general public welfare and mutual support of one another is a trademark of the Islamic social system. The Prophet (ﷺ) said:

"The similitude of the believers in their mutual care, love and kindness to one another is like one human body: if one organ aches, this prompts the entire body to be feverish and remain awake." **[*Muslim & Ahmed*]**

And he (ﷺ) said:

"The believers, one to another, are like a firm structure, supporting one another." He then intertwined his fingers. **[*Bukhari & Muslim*]**

A woman as an aunt, niece, cousin, or any type of relative, regardless of the distance, is included in the kinfolk to whom Allah commanded to be good, kind and supportive. Allah, the Exalted, states in the Qur'an:

﴾Would you then, if you were given the authority, do mischief in the land, and sever your ties of kinship?﴿ (47:22)

The Prophet (ﷺ) said:

"A person who severs his kinship ties, will never enter *Jannah* (Heavenly Abode)**."** **[*Muslim*]**

And he (ﷺ) said:

"Charity to a poor person is one charity, and to a (poor) **relative two charities: a charity and a connection of a relative."**

[*Nisa'e, Tirmidhi, Ibn Khuzaimah & others* and verified**]**

If a woman is a neighbor and she is a Muslim, she is entitled to two rights: the right of Islam, and the right of a neighbor. Allah, the Exalted, states in the Qur'an:

﴾Worship Allah and join none with Him in worship, and do good to parents, kinfolk, orphans, the poor who beg, the neighbor who is related to you, the neighbor who is a stranger, the companion by your side, the wayfarer you meet, and those slaves whom your right hand possesses. Verily, Allah does not like anyone who is proud and boastful﴿ [4:36]

Islam obligates a Muslim to be good to all his or her neighbors. The Messenger of Allah (ﷺ) said:

"Jibreel (Archangel Gabriel) **continued to recommend me to take care of the neighbor so much so that I thought the neighbor was going to be made a legal heir." [***Bukhari***]**

He (ﷺ) also said:

"By Allah he is not a believer, by Allah he is not a believer, by Allah he is not a believer!

They asked: **"Who, O Messenger of Allah?"**

He said: **"The one from whose harm the neighbor is not safe." [***Bukhari & Ahmed***]**

It is also reported by **Asfahani** in *Hiliyat-Awliya* that **Talhah** (رضي الله عنه) said:

"Umar Ibn al-Khattab (ﷺ) went out of his home one night. I decided to follow him to see what he was doing during the night. I saw him entering a certain house and after a while I saw him come out and enter another house. In the morning I went to the first house and entered it to find out who lives there. To my surprise I found an old, blind and disabled woman. I asked her: '**What did the man, who came in your home last night, want from you?**'

She said: '**This man has been taking care of me for a time now, serving my needs and helping me and supporting me.**'

Talha said to himself: '**Why should I investigate Umar's actions?**'

And the Messenger of Allah (ﷺ) said:

"The person caring for the widows and orphans is like the one who is on the path of Allah, and as if he said: **Like one who stands in prayer without sitting down and like the one who fasts without breaking the fast."** **[*Bukhari & Muslim*]**

These are some distinguishing aspects of honoring, respecting, caring for, and supporting women according to Islamic teachings that summarize the rights of women. We believe that women never witnessed this extent of respect and honor throughout the history of mankind on earth. Some traditions show that the Islamic law never tolerated crimes or abuses against a woman during any stage of her life.

Misconceptions about Women in Islam

There are some misconceptions that have been widely propagated about women and their rights in Islam, repeated by some that seek maliciously to defame Islam and Muslims. Women throughout the past centuries of Islam have been honored, respected, and dignified, and the crimes of some who deviate do not reflect upon the principles and laws on which Islam is based. We shall present some answers to these common misconceptions that have been publicized about women's rights in Islam and the position of women in Islam in general.

Polygyny in Islam

Marriage to more than one wife at the same time – polygamy - is a practice as old as the history of man, and is allowed in Islamic law. Among others, polygamy was well known to the Ancient Hebrews, Egyptians, Greeks, Persians, Assyrians, Japanese, Hindus, Russians and Germanic peoples.

All previous revealed religions practiced and condoned polygamy. The Old and New Testaments are at the foremost in the list of the religious Books that legalized and practiced it. Many of the Prophets of Allah before Prophet Muhammad (ﷺ) entered into plural marriages. Prophet Abraham had two wives; Prophet Jacob had four wives; and Prophet David had ninety-nine wives (عليه السلام). Prophet Solomon (عليه السلام) had seven hundred wives who were free noble women, and three hundred other wives who were slave women. Nowhere does the law of the Prophet Moses (عليه السلام) set or determine a specific number of wives to which a husband was entitled. The compilers of the Talmud, who lived around Jerusalem, decided upon a certain number of wives for a man, and some Jewish scholars only permitted a second wife or more if the first wife was permanently ill or barren. Still other Jewish scholars did not permit plural marriages at all.

In the New Testament of the Bible, Jesus is commissioned to comply with and complete the Laws of Moses (عليه السلام) and we cannot find a single quote in the Bible that forbids plural marriage. The prohibition of plural

marriages in Christianity came about only as a result of legislation set forth certain segments of the Christian church, and not by the original teachings of Christianity itself.

For this reason we find many examples of Christians taking multiple wives. The Irish king, Ditharmet, for instance, had two wives. King Frederick the Second had two wives with the church's approval. Thus, it must be noticed that prohibition was in the hands of the priests of the church, and not in accordance with any universally recognized original law of Jesus Christ himself (عليه السلام). Martin Luther, the German priest who first established the Protestant sect, considered plural marriage acceptable and advocated it on many occasions.

Polygamy was well known amongst pagan Arab tribes prior to the advent of Islam but there was no limitation for the number of wives, like in the cases of some of the Prophets mentioned above. With the advent of Islam, the Islamic law condoned polygamy but a man was limited to only four wives, and specific rules regulated these marriages. There are numerous examples in the authentic traditions wherein the Messenger of Allah (ﷺ) obligated those who had more than four wives, when they accepted Islam, to choose four and divorce the rest honorably.

Allah, the Most Beneficent, said:

﴾**And if you fear that you shall not be able to deal justly with the orphan-girls, then marry** (other) **women of your choice, two or three, or four but if you**

fear that you shall not be able to deal justly (with them)**, then only one or** (the captives and the slaves) **that your right hands possess. That is nearer to prevent you from doing injustice.﴿ [4:3]**

Thus we see that strict justice and fairness in treatment, and avoiding any injustice and wrong practices against all wives, is stipulated and conditional for those who wish to take more than one wife.

The Messenger of Allah (ﷺ) warned against favoritism saying:

"He who has two wives and is not just between them, he will come on the Day of Resurrection with one of his sides fallen."

[*Abu Da`wood, Tirmidhi, Nisa`e, Ibn Majah & others*, and verified**]**

Justice and fairness, in this context, applies to material things such as expenditure, fair division of wealth, gifts, time, etc. As for emotional matters, such as love and inclination of the heart towards one wife over the other, it is recognized that man has no control over his innermost heart and emotions, as they are involuntary. **'Aishah** (رضي الله عنها), the mother of the believers and the wife of the Prophet, narrated:

"The Prophet of Allah (ﷺ) would distribute everything justly amongst his wives, then say:
O Allah! This is my division for what I possess, O Allah! Do not blame me for what You alone possess while I do not (i.e. emotions of the heart)**."**

[*Abu Da`wood, Tirmidhi & others*, but with a **weak** chain of narrators]

A man who is impotent should not seek any marriage since he is unable to fulfill its basic requirement. He who knows for sure that he is financially incapable of supporting another wife and household, is not allowed to seek another marriage, just as the bachelor who seeks to marry must strive to earn the wherewithal and must be able to sustain his wife and future children. As Allah says, and which can be taken as a general rule:

﴾**And let those who find not the financial means for marriage keep themselves chaste, until Allah enriches them with His Bounty.**﴿ **[34:33]**

Let us take a look of some conditions that befall people of any society, and then assess whether polygamy is a good solution for the problems that occur, and also the practice of polygamy is in favor of a woman or against her! The following points prove that monogamy in many situations leads to promiscuity, prostitution or divorce:

1) If a woman is sterile and the husband is interested in having children, should he divorce the woman and marry a second wife? Or, if she chooses to stay married to him, should he take a second wife giving them both equal rights as his lawful wives?

2) If a wife is chronically ill and cannot maintain her marital relations with her husband, should he keep her and take a second wife wherein she remains perfectly honored, cared for and provided for by her husband? Or should he divorce her?

3) Some men are financially strong, and sexually demanding and potent with higher levels of hormonal testosterone. One wife may not be able to fulfill his lawful and natural sexual desire. If the menstrual period or after-birth-confinement period is notably longer than normal, or if she has no natural sexual desire to match that of the husband, or other scenarios, what is better for both husband and wife in such a case? Is it better for the man to remain frustrated and pent up, or seek unlawful sexual satisfaction outside the marriage? Or to acquire other lawful wives who can help to keep him chaste and satisfied?

4) In various parts of the world international and civil wars and other catastrophes often take their toll on men more than women. Even naturally, the demographic number of females, for various reasons, is often more than males in most countries. The best example of this is the case of the First World War, and the Second World War, which claimed the lives of an astronomical number of men who had participated in the fighting, with tens of millions of them being killed. In other trouble spots the disproportionate death ratios are similar. In such a case, if every man had only one wife, what would be the necessary destiny of the women left without lawful marriage to satisfy their social, financial and sexual needs? Some women may be tempted to satisfy their sexual desires in unlawful ways through fornication, lesbian activities or prostitution, a destabilizing factor for any society. The abundance of women without husbands, or male relatives to care and protect their interests, is one

factor that helps spread corruption and illegitimate sexual activities in societies. What is better for a society and for such women in this case: to remain single and suffer all the consequences of life without marriage; or to accept to be a second wife with an honest, protective, honorable and chaste man?

Promiscuity unfortunately exists in all modern societies, but should it be legalized or condoned, as is the case under man-made laws, with all the social consequences? In most contemporary societies only monogamous marriage is legal, but extra martial relations are allowed as socially acceptable substitute for the situations mentioned above, in the form of mistresses, girl friends, escort services, prostitution and common law marriages. This type of relationship has no merits of its own to stand on, and if they don't eventually get legally married, it often leads to abuse and conflict. It is only meant to fulfill sexual interests of the two parties involved without the responsibilities, and abuses the rights of the women generally. Legally it imposes no financial, social, or emotional obligations, and if the woman becomes pregnant, it is her own problem, with the illegitimate children left without the support of a family and sometimes abandoned to the social service system. Man, generally, is not obliged to admit that the child is his, thus not obliged to take financial responsibility for the child. Abortions proliferate in this kind of society. In accordance with Islamic law, a second, third, or fourth wife enjoys all the rights and privileges of

the first wife without an iota of injustice or dishonor to her.

Adultery, fornication and all extramarital sexual relations are strictly forbidden in Islam and the prophet took all measures to protect the society from these social diseases which, if they become widespread, can only bring harm and destruction upon individuals, families, and the basic bond holding the society together as a whole. The following tradition shows the wisdom of the Prophet (ﷺ) and patience in convincing a young virile man, by eloquent analogies, the injustice of double standards and the evils of wanton desires leading to fornication and adultery. No one would want his own female relatives to be exploited, used and abused, so how, then, can he allow himself to exploit others?

An authentic tradition narrates:

"A young man came to the Messenger of Allah (ﷺ) and asked:

'O Messenger of Allah, permit me (with special license) **to commit fornication** (and adultery)**.'**

The people started to rebuke him harshly, but the Prophet sat close to him and asked: **'Would you like it for your mother?'**

He replied **'No, by Allah, may Allah make me a sacrifice for you!'**

The Messenger of Allah (ﷺ) said: **'And thus the people do not like it for their mothers,'** and continued: **'Would you like it for your daughter?'**

'No' he replied.

The Messenger of Allah (ﷺ) said: **'And thus the people do not like it for their daughters,'** and continued: '**Would you like it for your paternal aunt?'**

'No' he replied.

The Messenger of Allah (ﷺ) said**: 'And thus the people do not like it for their paternal aunts,'** and asked: **'Would you like it for your maternal aunt?'**

'No' he replied.

The Messenger of Allah (ﷺ) said: **'And thus the people do not like it for their maternal aunts.'** Then the Prophet (ﷺ) put his hand on the youth and said: '**O Allah forgiver his sin and purify his heart and make him chaste** (fortify his abstinence from sexual sins)'**."**

[Reported by ***Imam Ahmad*** and verified**]**

One might say that this tradition is a practical application of the golden rule as mentioned by the Messenger of Allah (ﷺ):

"None of you [truly] **believes until he loves for his brother that which he loves for himself."**

[Reported by ***Bukhari &Muslim*]**

Polygamy in the Islamic society is limited to four wives only, the marriages being performed lawfully with a proper marriage contract, witnesses, etc. The man must bear all financial burdens and responsibilities to his wives and children that arise from his marriages. All the children are legitimate, who must be raised and cared for under the responsibility of both parents.

One might ask that, if we permit polygyny[2] for men, why is not polyandry permitted for women (wherein they can take more than one husband at the same time)? The answer to this question is simple since numerous natural and physical reasons, as indicated above, preclude this as a viable option. Men in almost all societies of the world have the position, domination and authority over the households due to their natural endowment and strength. Even if, for the argument sake, if we forego the idea of their strength and suppose that a woman has two or more husbands, the question will arise: who will have the ultimate authority and leadership of the home - as this would create harmful competition, jealousy, anger and hatred among the husbands and result in great destruction in the society. Moreover, if a woman were allowed to be married to more than one man, who would be the legal father of the child she bears, and how would fatherhood be convincingly determined? What would happen to the demography of the society after some generations of this arrangement? Would the men be able to remain chaste within their marriage vows in such an arrangement with one wife, or would he be tempted into promiscuity? The answers to all these questions are obvious. Since a woman can only become pregnant approximately once a year and she can get pregnant by only one man at a time, while a man can naturally impregnate more than one woman on a continual basis, it follows that it is more

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[2] The practice of taking more than one wife at the same time as spouses.

logical and natural that the man has more than one wife and that she doesn't engage more husbands.

Above all in polygyny, the man is responsible for the provision of all of his wives and children, which keeps everything in order, while this is not the case in polyandry, thus impractical from any angle whatsoever.

The following are the statements of some Western thinkers who demanded polygamy and considered it the only solution for the problems they confronted in their societies.

Gustav Le Bon, the well-known French thinker, says in his book *Arabic Civilization*:

"Polygamy enables the society to reduce social crisis, prevents the mistress problem and cures the society from illegitimate children."

Annie Besant, in her book on *Indian Religions* says:

"I read in the Old Testament that the closest friend to Allah, whose heart acts upon the Will of Allah, was polygamous. Moreover, the New Testament did not forbid polygamy except for priests or ministers of the church, who were required to keep and maintain one wife only. Old Indian religious books also permitted polygamy. It is easy, however, to criticize others in their religious practices. And that is what made people accuse Islam and attack it for its permission of polygamy. However, it is strange that Westerners are against the restricted and limited polygamy of the Muslims, while they suffer from wide scale

prostitution and promiscuity in their own societies. A close examining look at the Western society illustrates that only a few pure, chaste and honest men respect their clean marital relationships and honor their marriage to one single wife and have no other sexual relationship outside marriage. It is an incorrect and inaccurate statement, therefore, to describe a community as monogamous, in which the men maintain a single marriage, while they are indeed having mistresses, girl friends and other means of sexual relationship outside the marriage to their legal and lawful wife. If we were to be fair and just, we could see that polygamy in Islam protects, honors, maintains and respects women in society. Polygamy is better than the Western prostitution that permits a man to have a mistress or a girl friend to fulfill his sexual desires with no respect to the feelings, emotions, needs and honor of the women. The man will disown that woman as soon as he gets his satisfaction. The man has no social commitment or obligation towards the mistress or the girl friend who fulfill his sexual needs of the moment and give him the company he needs temporarily. Even though some people declare both polygamy and fornication or prostitution as bad and unacceptable, yet it is unfair for the non-Muslims to blame a Muslim for doing the same thing that he does while his society accepts and condones it."

Jawad, a well-known English scholar, says:

"The stiff British system which prevents polygamy is an unfair and unacceptable system. It severely hurts approximately two million women who have become old maids. These women have lost their youth and were deprived of having children. Thus, these women were forced to throw away the moral values as one throws away the pit of a date."

Mobenar, a member of the previous French Parliament noted:

"There are two and a half million French girls now who cannot find a husband, if we assume that every French young man will marry only one woman. I frankly declare what I truly believe is that 'a woman will not enjoy a healthy life unless she becomes a mother.' I believe that any law which passes a judgment that such a big number of the members of a society should live opposing, contradicting and neglecting to fulfill the natural laws of man on the Earth is but a cruel and savage law that contradicts the simplest meaning of justice and fairness."

In 1959, the United Nations published a special publication stating:

"This publication has proven, by numbers and statistics, that the entire world is now facing a growing problem of illegitimate children, as opposed to legitimate children. The number of illegitimate children has increased 60% in some countries. In Panama, for instance, the percentage of illegitimate births soared to 75% of the total number of births in the country. This

means that three out of every four children are illegitimate, born outside of wedlock. The highest percentage of illegitimate births is stated to be in Latin America."

At the same time, the publication proves and indicates that the number of illegitimate births in the Islamic world is almost nil (in comparison with other countries). The editor of the publication goes on to say that Islamic countries are protected against such social problems and disease due to the fact that the people practice polygamy.

Power of Guardianship in the Marriage Contract

In Islamic jurisprudence one requirement for a sound marriage is the total agreement of the woman concerned.

The Prophet of Allah said (ﷺ):

> **"An '*ayyim*'** (a divorcee or a widow) **must not be wedded unless she is asked, and gives her approval. And a virgin must not be wedded unless she is consulted."**
> It was asked: **"O messenger of Allah, How is her permission?"**
> He said: **"If she remains silent."**
>
> **[**Reported by ***Bukhari & others*****]**

If a woman is coerced to accept an undesired marriage, she is entitled to present her case before a Muslim judge to seek annulment. A woman by the name of **al-Khansa bint Khadam**, who had been previously married (and was now divorced or widowed), came complaining to the Messenger of Allah (ﷺ) that her father had forced her to marry a person she despised. He disapproved and invalidated it.[3]

Another requirement is that she does not give herself in marriage to anyone without guardianship. Her father, or in the case he is not alive, her grandfather, paternal uncle, brother or even her mature son, or the ruler of the State, must act as her guardian in this affair to assure her rights are protected and to sign the marriage contract along

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[3] Reported by ***Bukhari***

with her signature. His role is to make sure that the groom is sincere and of standard, that she has a proper dowry, and that two witnesses testify to the contract which she willfully accepts. All these measures are to protect her rights and the sanctity of marriage.

The Messenger of Allah (ﷺ) made this perfectly clear when he said:

"There is no marriage without a guardian."

[Reported by ***Abu Da`wood, Tirmidhi & others*** and verified**]**

And in another version:

"There is no marriage without a guardian, and the ruler is the guardian for those who have no guardian."

[Reported by **Ahmad and Ibn Majah**, and verified**]**

Therefore, if she elopes and marries herself, this marriage is considered unlawful, as the Prophet (ﷺ) declared:

"Any woman who marries without the consent of her guardian, then her marriage is nullified, then her marriage is nullified, then her marriage is nullified, and if he has consummated the marriage then she must receive a dowry from him for what he has made lawful of her private parts, and if they fall into dispute then the ruler is the guardian for those who have no guardian."

[Reported by ***Ahmad, Abu Da`wood, Tirmidhi & Ibn Majah***, and verified**]**

As mentioned above in the rights of daughters, whether a virgin or otherwise, the right of a woman is to accept or reject any marriage offer of her own free will. The institution of guardianship is only to protect her interests. The fact that the ruler or governor becomes her legal guardian to assure that all is in order and that no criminal injustice is perpetrated reinforces the sacredness of the marriage contract and the sanctity of her rights in Islam.

Since the woman remains in a position of natural weakness, Islamic jurisprudence lays down principles and laws to protect her interests and welfare and preserve her rights. The father, the mother and other concerned relatives, if need be, help select the right and most suitable husband for her, since all seek her happiness and none wish her to be victim of a failed marriage. The goal of marriage is to establish an everlasting relationship between a male and a female and a loving and beneficial home for the children, not mere gratification of certain desires. Since women are, in general, more emotional than men and more easily affected and tempted with appearances rather than the deeper realities, Islamic jurisprudence gives the right to the guardian to refuse and reject proposals if the suitor is not deemed a sound and sincere match. Male guardianship in this case is only natural given their role of authority and responsibility. Moreover, it cannot be denied that men, being of the same gender, have a better ability to perceive qualities of other men in certain areas, and are more capable of finding those characteristics of a

man that suit his daughter or the woman under his responsibility of guardianship. Of course he seeks counsel of the wife and other concerned females in the process of selection of the bridegroom. If an appropriate man proposed for marriage and the guardian refused for no valid reason, then the guardianship can be contested in the court of law. The guardianship is then given to the nearest responsible male relative of the woman, or, in case she has no responsible male relatives, the Muslim Judge assumes guardianship.

In the final analysis, the true measurement of a suitable match in marriage is the statement of the Prophet of Allah (ﷺ):

"If a person comes to you to propose a marriage and you are pleased with his religion and morals, then marry him. If you fail to do so, great affliction will take place on earth, and corruption will be widespread."

[Reported by ***Tirmidhi & Ibn Majah*** and verified**]**

A man with a sound and good understanding of his Islamic commitment, with good moral standards will honor his wife and dignify her, and treat her justly with decency even if he does not love her.

Financial and Moral Responsibilities of the Household

Allah, the Exalted, stated in the Glorious Qur'an:

﴾**Men are protectors and maintainers of women because Allah has made one of them to excel the other, and because they spend to support them from their means.**﴿ **[4:34]**

This verse summarizes that the financial and moral responsibilities of a household is the husband's responsibility. The natural, physical and social qualities of men demand that they take charge of these responsibilities since they are of the stronger gender and physically fit to work being free from the burden of menses, pregnancy, nursing and early childrearing. The man is the "guardian" of his own household - a shepherd of his flock in the idiom mentioned earlier - and he will be asked and accounted about all his responsibilities. Woman by her natural constituency is the weaker sex, built biologically, emotionally and socially for her role as child bearer and homemaker. She is more endowed with intuition and emotional intelligence. This is her natural feminine role that is fully honored and protected. Due to the pains and burdens of menses, pregnancy, delivery, nursing, and continual child-care, she often requires various periods of confinement for rest, and she is not required to take the additional financial and vocational responsibilities for the sustenance and maintenance of the household. All these concerns affect the mental state

of a woman and will be reflected in her life, attitude and behavior. This is a natural state prescribed in many civilizations, but often with many injustices, as mentioned earlier.

'Abbas Mahmoud al-'Akkad, the well-known Egyptian writer, notes:

"Women have a very special emotional make-up that does not resemble the emotional make-up of man. The companionship of a little infant or child requires a lot of similarity and resemblance between the child's mentality and his companion, the mother. She has to understand what he wants, what he needs and how he thinks and feels. Therefore, to fulfill this requirement, a woman is much more responsive to emotions. This makes it difficult for a woman, when compared with man, to be firm, fierce and determined when needed."

Dr. Alex Liberelle, a Nobel Prize winner, says while illustrating the natural organic differences between man and woman:

"Matters that differentiate between man and woman are not limited to sexual organs, the presence of the womb and pregnancy. These matters are also not limited to the difference of teaching methods of man and woman. In fact, these differences are of basic nature. The tissues of the body in both male and female are different. The chemistry of the bodies is also different in both. Certain glands excrete certain secretions that are only suitable for a specific gender.

The woman is completely different from man in terms of the chemical material secreted from the ovary inside the woman's body."

Those who call for complete equality between men and women disregard basic facts and essential differences. Advocates of Women’s equal rights demand the same type of education to be given to both male and female, and same type of jobs, tasks, responsibilities, positions to be offered, etc. This absurdity neglects woman’s nature and essential physical, mental, emotional, and social traits. Every body cell of a woman has a feminine quality, nursed by female hormones, just as a man has his distinct qualities and hormones. Are they blind when they wish to be equal? They don’t see that each organ of every man and woman are unique in and of themselves, and different from each other. The male and female central nervous systems function in exact precision to help their respective roles in human life. We must accept natural laws and movements as they are, without attempting to change them to seek unnatural obstruction or interference with them. For their own benefit, both men and women should build upon their natural talents and gifts, and never deviate into imitating those of the other sex, which only leads to abuse of themselves and others. Another factor is that it is a well-established fact that the bone structure and muscles of men are naturally heavier and more powerful than those of women. Men can perform more laborious and manual jobs, while women are not physically able to show comparable physical endurance. This is another proof that men are naturally

equipped and qualified to assume the role of leadership over financial and vocational responsibilities of the household in consultation with their best second-halves (wives), which is also a general rule in Islam, as mentioned previously.

Wife Beating

Allah, the Exalted, stated in the Glorious Qur'an:

﴾**… As to those women on whose part you see ill-conduct, admonish them** (first)**,** (next,) **refuse to share their beds,** (and last,) **beat them** (lightly, if it is useful)**. But if they return to obedience, seek not against them means** (of annoyance)**. Surely, Allah is Most High, Most Great.**﴿ **[4:34]**

Islam forbids beating women and warns strictly against it. The Prophet (ﷺ) never beat any of his wives or servants, as his wife **Aishah** (ؓ) reported in an authentic tradition. Women are, in general, weaker than men in their physique and stamina. Women are often unable to defend themselves against violence. Although beating of women is generally forbidden, Islam permits the beating of wives in a restricted and limited sense only as a final solution and acceptable valid reason when all else fails. This is analogous to spanking children when all else fails and they must learn a lesson in obedience for their own protection and success.

In the verse we quoted, Allah deals with the case of a wife who behaves immorally towards her husband's rights. The treatment of this extremely sensitive issue comes in gradual stages, as we have noticed from the verse. Medicine, or treatment of any ailment, can be very bitter at times. But an ill person will take the remedy gladly and bear the bitterness of the medicine in order to be cured from his illness. The remedy to treat a wife

blameworthy of immoral behavior, as we have noticed, comes in three gradual stages:

First stage: The stage of advice, counseling and warning against Allah's punishment. A husband must remind his wife of the importance of protecting his rights in Islam. This stage is a very kind and easy one. But, if this treatment does not work and proves to be ineffective, then follows the next stage.

Second stage: To leave the wife's bed. Or, if one sleeps in the same bed with her, he will turn his back to her, not touch her, talk to her or have intercourse with her. This stage, as noticed, combines both strictness and kindness, although it is a very harsh practice on both. But, if this treatment does not work, then follows the final stage of discipline below.

Third and final stage: Beating without hurting, breaking a bone, leaving black or blue marks on the body, and avoiding hitting the face or especially sensitive places at any cost. The purpose of beating her is only to discipline and never retaliation or with desire to hurt by any means. Islam forbids severe beating as punishment. The Prophet (ﷺ) said:

"None of you should beat his wife like a slave-beating and then have intercourse with her at the end of the day".

This treatment is proved to be very effective with two types of women, as psychologists have determined:

The first type: Strong willed, demanding and commandeering women. These are the type of women who like to control, master and run the affairs of their husbands by pushing them around, commanding them and giving them orders.

The second type: Submissive or subdued women. These women may even enjoy being beaten at times as a sign of love and concern.

G. A. Holdfield, a European psychologist, in his book Psychology and Morals states the following:

> **"The instinct of submission strengthens at times, in the human being so much that a submissive person will enjoy seeing someone overpowering him, over-ruling him and being cruel to him. Such a submissive person bears the consequences of his submission due to the fact that he enjoys the pain. This is a wide spread instinct amongst women, even if they do not realize it. For this very reason, women are well known for bearing more pain than men. A wife, from this type of women, becomes more attracted and admiring of her husband when he beats her. Nothing, on the other hand, will sadden some women, as much as a soft, very kind and very obedient husband who is never upset regardless of being challenged!"**

Beating, according to the Islamic teachings, is listed as the last and final stage of disciplining methods. Islam does not permit, allow or even condone beating unless the first two stages are proven to be ineffective.

Moreover, beating must not be employed as a remedy, if a wife prefers to be divorced.

The three stages of discipline stated in the verse of the Glorious Qur'an are only meant to be a means of discipline for the protection of the family unit. One form of destruction of a family is when the wife becomes a victim of divorce. Islam aims to relieve unnecessary pains, problems and conflicts.

In a recent statistics in Britain it was declared that the number of wives who have been brutally beaten by their husbands has risen from 6,400 in 1990 to 30,000 in 1992. This number jumped to 65,400 women in 1995. Statisticians expect this number to double 124,400 towards the end of the twentieth century! These statistics, as the report says, were based on information gathered from the police department. But, what about the unreported cases of wife beating, and the beating of women in general, which are not reported!

Mrs. Annie Besant compared Islamic Laws and Western legislation on women's rights and said:

> **"Islamic Laws are among the best laws known to the world, insofar as woman is concerned. It is the most fair and just legislation. It exceeds the Western legislation concerning real estate, inheritance and divorce laws. It acts as a guardian for women's rights. Phrases such as "One Wife is Sufficient for a man", and "Polygamy", mystified people and turned them away from the real misery which Western women suffer from and live through. Many husbands left**

their wives after they got what they wanted from them. In fact such men show no care, concern or mercy for their wives."

<u>On Honor Killings</u>

In some traditional and tribal custom based societies, custom gives the male such a dominant role that if the honor of his womenfolk are perceived, even without proper verification, to have been violated by an action of promiscuity on her part, the man kills her to protect his honor. This situation has been hyped up in the media because some unscrupulous people of authority in various governments of the lands where this is practiced turn a blind eye and thus, in effect, allow it to continue.

The answer to this is simple. To begin with, people are not allowed to take the law into their own hands and punish in this manner against unverified accusations of promiscuity, as the rules of testimony in Islam are very strict. Therefore, this is a direct violation of the Islamic law. If the court assesses the case as an outright premeditated murder, after considering all circumstances and receiving proofs conclusively, it becomes punishable by the Islamic law of equity and retribution in cases of premeditated murder. The unfortunate reality is that because secular laws are in place in these countries, and because politicians appease tribal and other leaders for political advantages, these unjust customs are allowed to continue. If the Islamic laws were established and executed, the severe punishments for fornication, adultery, murder, etc would satisfy the Muslim population; that justice has been done, and this would curtail the sense of vengeance that one needs to have recourse to.

Power to Divorce is with Man

In pre-Islamic times divorce was a weapon against the woman solely in a man's hands; when he wanted to harm the wife he would seek to divorce her and then take her back as he pleased. There were no set rules and the woman had no rights in the matter. So Allah (ﷻ) invalidated this injustice by revealing the verse which says:

﴾**Divorce is two times: then one may retain with goodness** (and reasonable terms)**, or let go with goodness** (and reasonable terms)**.**﴿ **[2:229]**

As a way to help preserve the marriage even when some differences occur, a Muslim man following the *Sunnah* of the Prophet (ﷺ) may only divorce his wife while she is clean from menses wherein he has not had sexual relations with her in that month. Since this often requires some waiting period before the pronouncement of divorce - which needs two witnesses - this allows time for any anger to subside or misunderstandings to be cleared up, and gives time to other family members or mediators to help in reconciliation. If they continue on the path towards divorce, then she must wait three menstrual periods. During this time, he may "return" her honorably into marriage. This will be counted as the first divorce and return. If the time lapses and he lets her go her way, she will be fully divorced for the first time, and is free to marry another man. Her first husband may remarry her with a new contract, if they both choose that

option. If he does, and he then again divorces her, he may "return" her within the three menstrual periods, and this will be two divorces and returns. After two divorces and returns, if he divorces her a third time this is called the final and separating divorce wherein they are not allowed to remarry unless she waits the specified time of three menstrual cycles and then freely marries a different man with no intention of availing herself to this means in order to get round the divorce. If, for any reason, she becomes divorced from that man, only then, and on the condition that no shady pre-arranged dealings were made to circumvent this rule, can she marry her first husband again. All these measures are designed to help protect the family and sanctity of the marriage bond, and the rights of the man and the woman. The waiting period is to determine that she is free from pregnancy. In case of pregnancy, the woman has to wait until after delivery before she marries a second husband.

Divorce is ultimately allowed in Islam to escape from any harm caused by the irreconcilable differences. It may become necessary in certain cases. There are strict rules about divorce to protect the interests and rights of the parties involved: the husband, wife and children. Some of them have been mentioned above.

Instances of divorce occurred in the time of the Prophet, for instance a man came and complained about his wife's indecent behavior, whereupon he said (ﷺ): "**Divorce her.**"

Divorce might be forbidden in the case where it would not solve the problem and cause undue harm to one of

the two marriage partners, without achieving a needed benefit. The Messenger of Allah said (ﷺ):

"Any woman, who asks her husband to divorce her without a legitimate reason, will be forbidden the fragrance of Paradise."

[Reported by ***Abu Da`wood, Tirmidhi & Ibn Majah,*** and verified**]**

Islamic jurisprudence obligates that in order to avoid divorce, solutions be sought when critical disputes and differences occur between husband and wife; Allah, the Exalted, states in the Glorious Qur'an**:**

﴾And if a women fears cruelty or desertion from her husband, there is no sin on both of them if they make terms of peace between themselves; and making peace is better.﴿ [4:128]

Allah, the Exalted, also says:

﴾If you fear a breach between them appoint two arbitrators, one from his family and the other from her family: if the two of them both wish for correction, Allah will cause their reconciliation. Indeed Allah is Omniscient and Well-Acquainted with all things.﴿ [4:35]

One of the most natural and logical ways to help maintain a successful marriage is to let the man have more control over the divorce process than the woman because it is the man who is financially obliged to take care of his wife, household and family, and has ultimate responsibility of their welfare. Therefore, he must rationally assess the situation, grave consequences, and

huge financial and emotional loss that will result from a divorce. The husband will lose the dowry he spent for the marriage, and will have to pay the alimony and child support, as well as any newly acquired expenses from a new marriage on top of that. Thus, with all these considerations, he will not act just out of quick anger, fickleness or passing emotion.

A man is more capable - at least theoretically - of controlling his flitting emotions and personal reactions when upset about the smaller issues in life, especially in terms of disputes with his wife. Divorce should never be a quick reaction for some suffering, misunderstandings, or differences of viewpoints, but only as a last resort and final solution when life becomes dangerously problematic and intolerable, wherein they both are afraid that they will not be able to abide by the limits set by Allah and His Prophet about respectable behavior with one another.

Islamic jurisprudence permits the wife to have a marriage with her husband nullified upon her request if the husband abuses her physically, verbally or socially. She is also entitled to have the marriage nullified if the husband is impotent and cannot perform his marital duties, or for any reason refuses to have sexual relations with his wife and fulfill her lawful needs, or is afflicted with a disabling terminal illness after the marriage, or contracts any type of venereal or reproductive disease that may harm the wife or make her lose her desire to be with that man. The woman also has the right to terminate

the marriage for any reason she wishes, according to many of the Muslim scholars, provided that she has stipulated this condition before consummating the marriage, and the husband has approved it. Thus, we see that the woman is given the right to seek separation from her husband for legitimate reasons in many situations, exactly as the man has the right to seek divorce. If a wife reaches the extreme limits of patience and abhors her husband, feeling that life is unbearable, then she has the right to divorce. This form of divorce is called annulment, or "*Khul'a*", wherein she pays compensation by returning her dowry or some other property. A competent Muslim judge will look into the individual case if the husband refuses to accept the wife's request and if the request is considered sound and valid, will pass a judgment in favor of the woman.

Women's Right of Inheritance

Allah, the Exalted, stated in the Glorious Qur'an:

﴾**Allah commands you as regards to your children's** (inheritance)**; to the male, a portion equal to that of two females.**﴿ **[4:11]**

Those who misunderstood Islam claim that Islam does injustice to women in terms of inheritance. They object that it is unfair to grant the male a double to that of the female even though they are children of the same parents. Allah, the Exalted, offered a full and detailed method of women's inheritance in the Qur'an and *Sunnah*, and if an unbiased student of knowledge reflects on the details, he or she will discover the fault of this objection.

To begin with, Allah has determined all the shares of all the relatives in respect to their relationship to the deceased. As He the Most Wise said:

﴾**There is a share for men and a share for women from what is left by parents and those nearest related, whether the property is small or large, an obligatory share.**﴿ **[4:7]**

Allah has stated three types of shares for a woman's inheritance as follows:

a. A woman will have an equal share as that of the man.

b. A woman will have an equal share to that of the man, or a little less.

c. A woman will have half the share of a man.

This means that the minimum of her shares is half, and considering that a female has no continual financial responsibilities as a child, sister, wife or mother, and these responsibilities are always on the men of the family, this is very generous indeed.

Those who are interested in the details about this subject should review the discussions in the books about the special branch of Islamic knowledge called "The science of inheritance and division of the estate” that deals with all the different ways of dividing an inheritance, the proper share of all relatives according to the Qur’an and *Sunnah*. Prior to passing any judgment about "unfair treatment of Islam to women in terms of inheritance", one must examine this subject closely.

In contrast to all the other societies, Islamic Jurisprudence stipulates the rules and regulations about all the affairs of a man, from big to small, to bring harmony to their lives. Just like a person has specific instructions for how to live and use his money in his lifetime, his wealth after his death is dealt with the same way. Unlike other social systems, a person can generally do with his wealth in his life however he wants but his will has certain restrictions according to the Islamic Law. Through his will he can only give 1/3 of his wealth to whoever he wants, all the rest is distributed according to the law of inheritance derived from the Qur’an.

In the famous tradition; the companion **Sa’ad ibn Abi Waqqas** was ill and requested that since he was wealthy

and only had one daughter, may he bequest the majority of his wealth as charity, or a half of it. The Messenger of Allah (ﷺ) forbade him and only allowed him to give a third, and said

> **"A third and a third is a lot, and it is better that you leave your heirs wealthy rather than leave them needy begging from the people. You will not spend anything seeking Allah's countenance but you receive a reward for that expenditure, even the morsel of food you put into your wife's mouth."**
>
> **[**Reported by ***Bukhari, Muslim & others*****]**

An important point to note is that in many civilizations, man-made law of inheritance is at the whim of a powerful individual; to give or deprive, as one will, however unjustly. Moreover, in these societies often there is no law that obligates a man with the financial responsibilities and relieves the women from them. On the other hand, according to Islam, a male is required to take care of the entire financial needs of the female dependents of the family until they are married. From the time a female marries, her financial responsibilities are her husband's obligation. After the death of the husband, the son or other male relative is obliged to care for the widow.

Therefore, demanding a "fair", "just" or "equal" share of inheritance for both male and female Muslims, who do not have equal financial obligations and responsibilities, is an unfair and unjust demand. It is only fair and just to give preference to a male heir, in light of his financial

responsibilities, over the female heir from the inheritance of the father, mother or others. Considering all this, the fact that a female is still entitled by the Islamic law to a half share of the portion of inheritance received by the male, and sometimes an equal share, is indeed fair, just, and generous.

Gustave Le Bon says in his book *Arab Civilization*:

"The principles of inheritance which have been determined in the Qur'an have a great deal of justice and fairness. The person who reads the Qur'an can perceive these concepts of justice and fairness in terms of inheritance through the verses I quoted. I should also point out the great level of efficiency in terms of general laws and rules derived from these verses. I have compared British, French and Islamic Laws of inheritance and found that Islam grants the wives the right of inheritance, which our laws are lacking while Westerners consider them to be ill-treated by the Muslim men."

Also, in accordance with Islam, the men of the family shoulder all expenses resulting from payment of "blood-money", and this is another subject of concern that we will discuss presently.

Blood Money

Islam stipulates that the blood money to be paid for a woman's death is half of that which is paid for a man when she is killed by accident, rather than a capital crime. In the case of murder, capital punishment is an option for both male and female since they are equal in the sight of the Islamic law. The reason that the blood money paid to the heirs of the female victim is half of that paid for a man's killing in the case of accidental killing is because the damage done to the family by the man's death is more of a financial loss. The family has lost a breadwinner who as we explained above is financially responsible for the entire family. No one denies the remorse of loss of life, but the financial loss to the family by the demise of a male provider is greater compared to the loss of the female member. The family members, whose mother is killed accidentally, for instance, miss their mother's love, care and affection, matters that most men cannot provide as well as the mother, but the financial situation would not be effected as much as when the father is killed. It must be remembered that blood money is not a price or value of the person, but only an approximate compensation for the killed to alleviate the emotional and financial hardship caused to the family by the loss of that person.

Testimony of Women

Allah, the Exalted, stated in the Glorious Qur'an:

﴾**And get two witnesses out of your own men. And if there are not two men** (available)**, then a man and two women, such as you agree for witnesses, so that if one of them** (two women) **errs, the other can remind her.**﴿ **[2:282]**

Allah clarifies to assure the rights of others that testimonies will not be valid unless two men, or one man and two women offer them.

Divine wisdom has granted women, in general, very sensitive emotions, tender feelings, and a predisposition towards care and love of other members of the family. This makes a woman capable of her natural task of childbearing, nursing, taking care of all the needs of the young child, etc. Based on these emotional characteristics of the woman, she might very well follow her emotional inclinations and swerve from harsh realities due to an emotional involvement in a case. A woman's loving and kind feelings might overcome what she has witnessed, and thus she may distort the story of her witness and testimony. At the same time the biological changes that occur in her body due to menses, pregnancy, child-birth and post-natal conditions reduce the sharpness of her memory and may make her forget the details of the issue. Therefore, a divine precautionary measure was established to eliminate any shortcoming on a woman's part in any case of testimony. We would like to point out

here one of the essential principles of the legal and judicial system in Islam, which states that the case is not valid for proceedings if a doubt arises in the case.

Besides testimony that involves other people’s rights, Islam has granted women full financial freedom in terms of independence and financial decision-making, and made her exactly equal to men in that regard. However, woman's natural role in life, in raising children and caring for the family requires her to stay in the home for longer and extended periods in comparison to men, thus limiting her knowledge and experience to the affairs she stays involved most of her life.

It is a false accusation to say that making the testimonies and witnesses of two women equal to one man in certain cases is an insult to the woman's intelligence and a dishonor to her integrity. If that were the case, a single woman's testimony would, likewise, not be acceptable in the other affairs of women. Islamic jurisprudence accepts a woman's testimony in all affairs that are private like in confirming the virginity of a woman, delivery of a child, clarification of female sexual defects, and other matters that mandate examination due to a dispute. At the same time, it must be remembered that Islamic law rejects a man’s lone testimony in the least significant financial matters such as lending or borrowing funds and other transactions, since there must be two. The critically serious cases, wherein a woman's testimony must be doubled, is established in order to preserve and prove the rights of individuals in the

society based on the reliability and irrefutability of that testimony.

Note that testimony in the Islamic law in itself is not a privilege but a burden that many attempt to avoid, and for this reason Allah (ﷻ) commanded people to offer their testimonies and not to seek to escape or withhold it. Allah (ﷻ) stated in the Glorious Qur'an:

﴾**And the witnesses should not refuse when they are called on** (for evidence).﴿ **[2:281]**

The address here is general for both male and female. Many people all over the world try to avoid becoming a witness, and attempt to escape involvement in offering testimonies, because one is required to go to the court, sit on the witness stand, take an oath to tell the truth, be cross-examined and many other burdens. Financial and physical burdens or threats may result from offering witness and testimony. Islam therefore aims at eliminating many of these burdens from the woman, unless she has a partner who witnesses as she does, in matters involving many forms of testimony.

A man's single testimony is not acceptable in financial matters, since there must be two male witnesses to prove the financial right of a claimant, or one man and two women. We have never heard that anyone considered this requirement an insult to man's intelligence or contrary to his rights. This proves that the requirement is for the protection against false accusations and mistakes

There are some cases when the testimony of each is totally equal. For instance, the testimony of a wife is exactly equal to the testimony of her husband when a husband accuses his wife of committing adultery and he has no evidence to prove his claim. Allah (ﷻ) stated in the Glorious Qur'an:

﴾**As for those who accuse their wives, but have no witnesses except themselves, let them present their testimony four times, that by Allah he is one of those who speak the truth. By the fifth** (testimony, he invokes) **the Curse of Allah on himself, if he is of those who tell a lie** (against her)**. She will avert the punishment** (of stoning to death) **from her if she bears witness four times by Allah, that he** (her husband) **is telling a lie. And the fifth** (testimony) **should be that the Wrath of Allah be upon her if he** (her husband) **is speaking the truth**.﴿ **[24:6-9]**

Travel Without Immediate Male Escort

The Prophet (ﷺ) said:

"A woman must not travel alone without a *mehram*. No man may enter the house of a woman unless there is with her a *mehram*."

A man stood up and asked Allah's Prophet (ﷺ): **"O Messenger of Allah! My wife is going on *Hajj*,** (the pilgrimage) **while I want to participate in a battle, what should I do?"**

The Prophet of Allah (ﷺ) said: **"Go out with her."**

[Reported by ***Bukhari*****]**

For the protection of the person and honor of women, the Islamic rule encompassed in this tradition forbids any woman, whether she be young or old, single or married, to travel alone without the escort of a male relative (*mehram*) as a travel companion. This man must be of those to whom she is permanently prohibited to marry due to his close blood relationship, such as a father, a brother, an uncle, an elder son or nephew after he has reached puberty, or a husband, etc. Some people might say that this regulation restricts the freedom of the woman and her basic right of movement. The purpose of this rule is to free her from harm and molestation, and thus to maintain and preserve her right to dignity. Traveling entails many hardships and dangers, and since women are physically weaker than men, and moreover she may have circumstances of pregnancy, menses, nursing and childcare, or some ailments, she is in more

need for help and service. Also women are generally more emotional and impressionable; they are more susceptible to unscrupulous and characterless men in search of victims.

The Prophet of Allah (ﷺ) expressed this in the most eloquent of idioms when he said to a man singing with a beautiful masculine voice travel songs to help the steady movement of the riding and pack animals, as per the custom of travelers:

“Go gently, O Anjashah, you’re urging on the delicate glassware.” [*Bukhari*]

The phrase “delicate glassware” describes the fragileness and softness of the women’s nature, who were the riders in that caravan, easily broken or disturbed.

There are, as we all know, wicked minded, evil and violent men who lurk about and seek to take advantage of women whom they find susceptible, gullible or traveling alone. Such wicked-minded men are of course either interested in robbery, trickery, seduction, or rape. Therefore, a woman is very much in need of someone to care for, protect and fulfill her special needs while traveling, providing her the needed security, service and attention to help her in the difficulties and ward off strangers and potential predators. The “*mehram*” of a woman in Islam protects and serves with utmost sincerity since this is a natural obligation on him, rewarded by Allah (ﷻ). We find that many civilizations have similar rules about escorting women in travel, but

often they allow other than the "*mehram*" to escort her since they do not differentiate between a *mehram* and a *non-mehram* in their cultures, which results in terrible stories. Therefore, and upon this line of reasoning, forbidding a woman to travel alone, and mandating a male escort who must be a "*mehram*," is not in any way a humiliating restriction or insult to her abilities, but, in fact, is an honor that she is served, protected and given companionship by a male escort who has to give her preference over his personal matters and needs.

Women's Right to Work

As mentioned above, Allah created all mankind from a single male and female, and placed natural love and affection for one another in order that they cooperate to build families and relationships of families. We see in nature that Allah bestowed the male of each species with superior power and endurance in order that he may dominate in certain spheres and seek provisions and protection for the species, while the female of each species is equipped to reproduce and multiply to maintain the continuance of that species. Only the female is equipped with the necessary apparatus to bear, deliver, nurse and care for the young. The female human has been endowed with love, kindness, sympathy, care and affection in order to carry out her duties to her children with dignity. Based on this natural predisposition and delegation of responsibilities, and based on the unique qualities of the male and the female, it is only natural for man to work outside the house and earn for the sustenance of the family and for the woman to work inside the house and take care of the children and the family in general.

After specifying this basic fact, Islamic law does not deprive a woman from the right to work within the limits that protect her honor and dignity. Islam permits the woman to personally conduct her business contracts and financial transactions. All such contracts and transactions are sound and valid in the view of Islamic jurisprudence. There are certain set conditions which if violated, the

permission given to the woman to practice this right will be rendered void and she can be restrained from the use of her right.

The work that the women engage outside the home must not conflict with her duties and responsibilities to her husband and children. Her work must be with other women and free intermingling in a male environment, where she comes into physical contact with men, or is confined and exposed to molestation and abuse, is not allowed. As the Messenger of Allah said (ﷺ):

"A man is not secluded with a woman, but that the Satan is the third party to them."

[Reported by ***Tirmidhi*** and verified**]**

And in another version, the Messenger of Allah (ﷺ) said:

"A man is not to seclude himself with a woman except a *mehram*. (close relative)**."**

And in another tradition,

A man said: **"O Messenger of Allah my wife has gone out to go for Pilgrimage and I have been written to go for a military campaign."**
He said: **"Go and make Pilgrimage with your wife."**

[Reported **by *Bukhari, Muslim & others*]**

Lady Cook, the well-known English writer says in *New Echo:*

"**Men like** (and prefer) **the mixed environment. Thus, women are lured to something that conflicts with their human nature. The greater the co-ed.**

environment (between male and female)**, the more illegitimate children the society will have. There is the greatest disaster...**"

In his book*, International Peace and Islam,* the late **Sayed Qutub** says:

"**It is the right of both man and woman, to feel satisfied with each other as companions. Neither one of them should be subjected to temptation by the other in such a way that one would be emotionally** (and physically) **deviated, if not dragged fully into sin and drift towards immoral decay. Such actions will definitely threaten the precious and sacred ties between them. In fact, there will be no room for trust and confidence in one another. The deviation resulting from this morality drift is due to the co-ed. relationships, which appear to be increasing day by day. As women walk freely wearing all kinds of attractive, short, tempting clothing, that do not modestly cover their bodies but rather show their beauty, wicked minded men, people with low moral values and people with weak faith will abuse women and attack their chastity. Regardless of what some individuals say about co-ed. environments, as it softens the hearts and minds of people, it is a real threat and danger to morality and the moral values of the society. Regardless of what they claim; that co-ed. provides both sexes with the necessary experience that is needed for a long lasting marital tie, it is really nothing but nonsense. Many marriages are failing,**

ending up with divorces and broken homes even after the full acquaintance of both the parties with each other before marriage. Many illegal sexual relationships develop in co-ed. environments as a way of life. The percentage of pregnant high school girls, as a result of a free co-ed. society reached 48% in one high school in the United States. The number of broken homes which were erected on the so called love and free choice, increased drastically between the years of 1890 and 1948: 1890 = 6%, 1900 = 10%, 1914 = 14%, 1930 = 14%, 1940 = 20%, 1946 = 30% and in 1948 = 40%, and it is still on the rise."

The work that the woman performs outside her home must be, in the first place, a lawful employment or job that suits the nature and physique of the woman. She must not, for instance, be obliged to do heavy industrial jobs, take combat roles in a military campaign, and other jobs to which men are more suited to perform.

The question that poses itself here is: Why does the woman have to work in the first place? If a woman is working to earn her own living expenses, Islam has absolved her from this duty by obliging, as mentioned earlier, the male family members to take care of the entire financial needs and obligations. Thus from her birth to death, throughout the various stages of her entire life, she is not required to work to give utmost dignity and concentration to her paramount mission and duty of taking care of the home and raising the children. This

honorable mission requires great sacrifices and devotion, and has the highest status.

The well-known English scholar **Samuel Smiles**, one of the pillars of the English renaissance says:

"The system that has required women to work in factories and industrial areas, regardless of the national wealth it brings, has destroyed the family life. It has attacked, in fact, the basic structure and foundations of the home and destroyed the essential pillars of the family. It has cut and destroyed social ties as well. Stripping the wife from her husband, and depriving children of their rights of proper, tender and maternal care, has resulted in lower moral values for the women. The real job and profession of a woman is to raise a good, sound and moral family. She is mainly required to take care of household responsibilities, home economics and other domestic needs. Work in factories has stripped the woman, as we pointed earlier, of all these responsibilities which changed the looks and the realities of the inner home. Children, as well, were often neglected and raised with no sound standards. The love and affection between husband and wife were somewhat extinguished. The woman was no longer the sought, wanted, admired and loved by man, after he got used to seeing her in the factory next to him doing the same thing he does. Woman came under many influences and pressures that changed her mentality

and thinking pattern on which moral values and virtues were established."

In fact, the First Lady of South Africa calls for the return of woman to the home saying:

"The most natural place for a woman is her own home. The main task and responsibility for a woman must be to care for her husband and attend to the needs of her children."

She also said in an address to a women's conference in the capital of South Africa:

"The main task and responsibility for a woman must be to care for her husband and attend to the needs of her children… This is our duty in the society. It is a duty in which we should take special pride as it produces successful men and sound generations."

On Hijab (covering head and face)

This issue has been sensationalized in the media, especially in some secular countries like France and Turkey which seek to make illegal the wearing of the Muslim headscarf or face veil in public places. We will not delve into all the details of the issue but, given the information above and some additional information below, we will let the readers judge for themselves whether the modest clothing and covering of the beauty and adornments of women, mandated in Islamic scriptures, is only for her own honor and protection, or not.

Allah (ﷻ) says:

﴾**O Prophet! Tell your wives and your daughters and the women of the believers to draw their cloaks** (and/or veils) **over their bodies. That is better that they should be known so as not to be annoyed and molested. Allah is Ever Oft-Forgiving, Most Merciful.**﴿ **[33:59]**

This verse clearly states that the reason the woman is obligated to cover herself is to distinguish her to be identified as a respectable Muslim lady, to avoid the annoying glances and glares of the men. As we all know, provocative clothes urge some men to make advances, and expose women to molestation. This may be encouraged and marketed in some societies, but not among the respectable faithful Muslims.

The Messenger of Allah (ﷺ) said:

"**Allah has written the portion of *Zina*** (fornication or adultery) **which a man will commit, and it must occur inevitably. The *Zina* of the eye is looking** (at a woman)**, *Zina* of the tongue is speech, the heart yearns and desires, and then the private parts confirm it or deny it.**" **[**Reported by ***Bukhari, Muslim & others*****]**

This tradition specifies that a certain amount of sinful action will take place by men, and therefore all protective measures should be taken to guard from excess temptation, which are explained in the Islamic jurisprudence. Some of them are related to the women's attire like loose fitting body wrapping, head covering, and according to the authentic interpretations of the scriptures of the Qur'an and *Sunnah*, the face veil.

Allah (ﷻ) also said:

﴿**And tell the believing women to lower their gaze and guard their private parts and not display their adornment** (and beauty)**, except that which appears thereof** (ordinarily) **and to draw their coverings over their chests and not display their adornment except to their husbands, their fathers, their husband's fathers, their sons, their husband's sons, their brothers, their brothers' sons, their sisters' sons, their women, that which their right hands possess** (their slaves) **or those male attendants having no physical desire, or children who are not yet aware of the private aspects of women. And let them not stomp their feet to make known what they conceal of their adornments. And**

turn to Allah in repentance, all of you, O believers that you might succeed.》 **[24:31]**

This verse indicates those males who are categorized as "*mehram,*" as mentioned above, and designates that men and women should lower their gazes in modesty, which is the best self-protection from natural temptations and mutual attractions that occur between the opposite sexes.

And Allah (ﷻ) says, indicating the provocative manners with which the women of pre-Islamic era used to walk about, and calling the believers to appropriate behavior and repentance:

《**And stay in your houses, and do not display yourselves like that of the times of ignorance, and establish regular prayers and give obligatory charity and obey Allah and His Messenger. Allah wishes only to remove impurity from you, O members of the family** (of the Prophet)**, and to purify you with a thorough purification. And remember** (O you the members of the Prophet's family, the Graces of your Lord)**, that which is recited in your houses of the Verses of Allah and Wisdom** (i.e. Prophet's *Sunnah* legal ways)**. Verily, Allah is Ever Most Courteous, Well-Acquainted with all things. Verily, the Muslims men and women, the believing men and women, the obedient men and women, the truthful men and women, the patient men and women, the humble men and women, the charitable men and women, the fasting men and the women, the chaste men and women, and the men and the women who remember**

Allah much with their hearts and tongues; Allah has prepared for them forgiveness and a great reward (i.e. Paradise)**. It is not for a believing man or woman, when Allah and His Messenger have decreed a matter, that they should have any option in their decision. And whoever disobeys Allah and His Messenger, he has indeed strayed in a clear error.**﴾ **[33:33-6]**

We can see that Islamic regulations in this regard, although similar to many other cultures where modest dress and behavior is concerned, yet unique to the highest standards of Muslim identity of chastity, righteousness, and moral uprightness. Islam protects and safeguards the individuals and the society from awkward situations of unnecessary intermingling between marriageable males and females leading to natural temptations. The Messenger of Allah (ﷺ) said in an authentic tradition:

"Verily for every religion there is a characteristic, and the characteristic of Islam is *Haya`a* (modesty, shyness, bashfulness)**."**

[Reported by ***Ibn Majah*** and verified**]**

Conclusion

Islam is the eternal divine message of Allah, the Almighty and Exalted, to all mankind, delivered by the Prophet and Messenger of Allah (ﷺ). Some have believed in the Message of Islam and followed it, while others disbelieved in it or refuse to follow. Allah (ﷻ) declared that all human beings are dignified and honored more than other creatures of Allah, as He stated in the Glorious Qur'an:

﴾**And indeed We have honored the children of Adam, and We have carried them on land and sea, and have provided them with lawful good things, and have preferred them above many of those whom We have created with a marked preference.**﴿ **[17:70]**

Allah (ﷻ) also declared another major principle: that all men are created equal in terms of original creation. He stated in the Glorious Qur'an:

﴾**O mankind! Be dutiful to Your Lord, Who created you from a single person** (Adam)**, and from him** (Adam) **He created many men and women; and fear Allah through Whom you demand your mutual** (rights)**, and** (do not cut the relations of) **the wombs** (i.e. kinship)**. Surely, Allah is Ever an All-Watcher over you.**﴿ **[4:1]**

Based on the previous principles, all men and women are equal in terms of humanity and basic values, obligations and responsibilities. All men and women are created equal in the sight of Allah. Their differences in

race, language, livelihood and geography etc have no relationship to increase or decrease this honor. True distinction among them is based on their God-consciousness, commitment to Islam, the revealed religion of Allah, and their level of practice and application of its principles in their own daily lives. Allah (ﷻ) stated this in the Glorious Qur'an when He said:

﴾O Mankind! We have created you from a male and a female, and made you into nations and tribes, that you may know one another. Verily, the most honorable of you in the Sight of Allah is the one who is most pious and righteous. Verily, Allah is All-Knowing, All-Aware.﴿ [49:13]

Therefore true honor of any person in the Sight of Allah is not on the basis of color, social status, sex, race, strength, health, dignity or wealth. The only measure of distinction in the Sight of Allah is strictly on the basis of piety, faith and the performance of good deeds.

Similarly, Allah's Prophet (ﷺ) was also reported as saying:

"O people, your Lord is one and your father is one. There is no superiority of an Arab over a non-Arab, or non-Arab over an Arab, nor of a red person over a black, or a black person over a red, except by piety."

[Ahmad and verified**]**

The teachings of Islam remove all artificial differences between men, and place them all on equal footing. One of the essential teachings of Islam, often misconstrued,

abused or poorly explained, is that **"a female is equal to a male in everything except where there is a distinct reality and exception."** The equalities and exceptions were the subject of this book attempted to clarify some of these misconceptions about the reality of women in Islam.

Allah (ﷻ) stated in the Glorious Qur'an:

﴾**The believers, men and women, are helpers, supporters, friends and protectors of one another; they enjoin** (on the people) **Islamic Monotheism and all that Islam orders one to do; and they forbid** (people) **from all forms of evil** (i.e. polytheism and disbelief of all kinds, and all that Islam has forbidden)**; they offer their prayers perfectly, and give their charity and obey Allah and His Messenger. Allah will shower His Mercy upon them. Surely Allah is All-Mighty, All-Wise.**﴿ **[9:71]**

Allah (ﷻ) stated in the Glorious Qur'an:

﴾**So their Lord accepted** (their supplications and answered them)**, Never will I allow to be lost the work of any one of you, be he male or female. You are** (members) **one of another...**﴿ **[3:195]**

Allah (ﷻ) stated in the Glorious Qur'an:

﴾**There is a share for men and a share for women from what is left by parents and those closely related, whether the property be small or large, a legal share.**﴿ **[4:7]**

Based upon what has been said and elaborated upon throughout this book, one can comfortably and confidently say that a woman will never enjoy her natural honor and full rights and freedoms except under the protection of the divine and just laws of Islam. Islam designates certain duties and obligations that necessarily go hand in hand with the rights. Islam is a divine religion revealed by the Beneficent and Omniscient, as opposed to man-made laws that dictate artificial boundaries, privileges, and monopolies. Islam is everlasting and universal, for the whole of mankind, male and female, rich and poor, the ruler and ruled, and strong and weak, whether white, black, red or yellow. They are all equal in the Sight of their Creator, Allah (ﷻ), who knows best what is of benefit in both this world and the hereafter.

I beseech the reader not to pass hasty judgment on Islam on the basis of what is observed in the behavior and attitude of some groups of Muslims who, unfortunately, use Islam to cover up their personal or party crimes. There are many individuals who are counted as Muslims since they declare by their lips that **"There is no god worthy of worship except Allah Alone, and Muhammad is the slave and Messenger of Allah"** but, regretfully, do not perform their Islamic duties or demonstrate sincere commitment to Islam by good moral conduct. Islam is a complete, pure religion, simple to apply in all the various circumstances. Many Muslims strive throughout their lifetime to be good and upright, seeking the pleasure of Allah in all that they do or refrain from doing. On the other hand, there are

individuals who deserve to be punished in this world and in the hereafter, for their crimes. These crimes may be so heinous that they are of the level of disbelief and apostasy from Islam, or they may be of a lesser level of disobedience and neglectfulness of the wise commands and beneficial teachings of Allah (ﷻ), and His Prophet (ﷺ). It is understood that if someone lacks something himself, whether it is wealth or morals, he will not enable someone else to have it. This principle applies to Islam as well. For those who are keen to learn more about Islam, our advice is that they seek knowledge from those who are well known for their knowledge, understanding and practice of Islam in their own lives, whereas "*non-practicing*" Muslim will definitely mislead them since the term "*non-practicing Muslim*" is a contradiction in itself.

Superficial knowledge of Islam is dangerous, harmful and detrimental since merely reading a few books about Islam, very possibly unreliable sources, will not qualify a person to pass verdicts and disseminate sound knowledge about Islam. Following the opinions blindly is also very dangerous and harmful. It is compulsory to seek sound knowledge about Islam, and not be tricked by those who spread false worship and practice. Allah stated in the Glorious Qur'an:

﴾**There is no compulsion in religion. Verily, the Right Path has become distinct from the wrong path. Whoever disbelieves in the '*Taghoot*'** (what is worshipped other than Allah and pleased with the false worship) **and believes in Allah, has grasped the**

trustworthy handhold that will never break; Allah is the All-Hearer, All-Knower.﴿ [2:256]

الحمد لله رب العالمين

وصلى الله وسلم على نبينا محمد وآله وسلم

All Praise is due to Allah alone, the *Rubb* of the Worlds

And may Allah exalt the mention of His Prophet and his household and render him safe from every derogatory thing